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8/1/90 - As amended in Committee

FILE NO. 101-89-148

ORDINANCE NO. 301-90

RO #90032 SA#8

(Government Funding)

APPROPRIATING $12,097,928 FOR CAPITAL IMPROVEMENT PROJECT (MARIPOSA FACILITIES CONSTRUCTION), CLEANWATER PROGRAM FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
35-893	1970 Water Pollution Control Bond		
Project 108-00	Mariposa Facilities Construction		
G.L. 495 (027383)	Year End Surplus	$ 772,000	
35-895	1976 Sewer Revenue Bonds		
Project 011-00	Mariposa Facilities Construction		
G.L. 495 (035006)	Year End Surplus	3,456,568	
35-896	1988 Sewer Revenue Bond Fund		
Project 896-00	Mariposa Facilities Construction		
G.L. 495 (008755)	Year End Surplus	633,002	
35-555	State Revolving Loan Fund		
Project 102-00	Mariposa Facilities Construction		
55-5503 (008995)	Proceeds from Long Term Obligations	7,236,358	
90-05-00	Cleanwater Program		
35-893	1970 Water Pollution Control Bond		
Project 108-00	Mariposa Facilities Construction		
20-2030 (543348)	Capital Improvement Project		$ 772,000
35-895	1976 Sewer Revenue Bonds		
Project 011-00	Mariposa Facilities Construction		
20-2030 (543363)	Capital Improvement Project		3,456,568
35-896	1988 Sewer Revenue Bond Fund		
Project 896-00	Mariposa Facilities Construction		
20-2030 (770602)	Capital Improvement Project		633,002
35-555	State Revolving Loan Fund		
Project 102-00	Mariposa Facilities Construction		
20-2030 (544064)	Capital Improvement Project		7,236,358
	Total	$ 12,097,928	$12,097,928

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APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Samuel D. Yockey
CONTROLLER

wppspgen/259p.14&15/chl

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
August 6, 1990	§	August 13, 1990
Ayes: Supervisors Alioto Britt Hallinan Hsieh Maher Ward	§	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Kennedy Nelder Walker
Noes: Supervisors Nelder	§	
Absent: Supervisors Gonzalez Walker Hongisto Kennedy	§	Absent: Supervisors Hsieh Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-89-148

AUG 21 1990
Date Approved

Doris M. Ward
ACTING Mayor

FILE NO. 9-90-2 ORDINANCE NO. 302-90

(STREET ACCEPTANCE)

ACCEPTING ROADWAYS, INCLUDING CURBS, OF TEN DEDICATED PUBLIC STREETS IN THE HUNTERS POINT REDEVELOPMENT PROJECT AREA AND TEN BLOCKS OF FULTON STREET FROM NINETEENTH AVENUE TO TWENTY-FIFTH AVENUE, FROM TWENTY-SIXTH AVENUE TO TWENTY-SEVENTH AVENUE, AND FROM FORTY-SEVENTH AVENUE TO THE GREAT HIGHWAY.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Pursuant to Department of Public Works Order No. 154,796 and Section 7.601 of the Charter, the roadways and curbs of the following designated streets are hereby accepted by the City and County of San Francisco.

Bass Circle
Bell Court
Carpenter Court
Hawkins Lane
Hillview Court
Jakey Court
Lindsay Circle
Mabrey Circle
Richards Circle
Whitney Young Circle-from Newcomb Avenue to Cashmere Young Court

Fulton Street - from 19th Avenue to 20th Avenue
Fulton Street - from 20th Avenue to 21st Avenue
Fulton Street - from 21st Avenue to 22nd Avenue
Fulton Street - from 22nd Avenue to 23rd Avenue
Fulton Street - from 23rd Avenue to 24th Avenue
Fulton Street - from 24th Avenue to 25th Avenue
Fulton Street - from 26th Avenue to 27th Avenue
Fulton Street - from 47th Avenue to 48th Avenue
Fulton Street - from 48th Avenue to La Playa
Fulton Street - from La Playa to the Great Highway

RECOMMENDED:

Director of Public Works

DESCRIPTION APPROVED

City Engineer

APPROVED:

APPROVED AS TO FORM:
LOUISE RENNE, City Attorney
By

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
August 13, 1990	August 20, 1990
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Kennedy Maher Nelder Walker Ward	Ayes: Supervisors Britt Hallinan Kennedy Maher Nelder Walker
Absent: Supervisors Hsieh	Absent: Supervisors Alioto Gonzalez Hongisto Hsieh Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 9-90-2

AUG 23 1990
Date Approved

Doris M. Ward
ACTING Mayor

[Park and Open Space Advisory Committee]

AMENDING SECTION 5.90 OF ARTICLE IX OF THE SAN FRANCISCO ADMINISTRATIVE CODE, ESTABLISHING AN OPEN SPACE/PARK RENOVATION CITIZENS ADVISORY COMMITTEE TO CHANGE ITS NAME TO THE PARK AND OPEN SPACE ADVISORY COMMITTEE, AND TO CHANGE THE COMPOSITION OF ITS MEMBERSHIP, BOTH CHANGES BEING CONSISTENT WITH PROPOSITION "E" AS APPROVED BY THE VOTERS ON NOVEMBER 8, 1988, WHICH AMENDED SECTION 6.413, EFFECTIVE JULY 1, 1990.

Note: Additions are <u>underlined</u>; deletions or substitutions are indicated by ((double parentheses)).

Be it ordained by the people of the City and County of San Francisco:

Section 1. Article IX of the San Francisco Administrative Code is hereby amended by amending the title to the Article and Section 5.90 thereof to read as follows:

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ARTICLE IX

((OPEN SPACE.PARK RENOVATION CITIZENS ADVISORY COMMITTEE))

<u>PARK AND OPEN SPACE ADVISORY COMMITTEE</u>

SEC. 5.90 ESTABLISHMENT; COMPOSITION; APPOINTMENT; QUALIFICATIONS; TERMS; SELECTION OF STAFF.

<u>(a)</u> There is hereby established a committee to be known as the ((Open Space/Park Renovation Citizens Advisory Committee)) <u>Park and Open Space Advisory Committee</u> (hereinafter referred to as Advisory Committee), which shall assist the City Planning Commission and Recreation and Park Commission in the implementation of Section 6.413 of the Charter of the City and County of San Francisco. The Advisory Committee shall consist of 23 ((voting)) members. ((to be appointed by the Board of Supervisors. The Advisory Committee members shall serve without compensation for a term of two years and may be reappointed at the end of each term. Of the first 23

committee members appointed, 12 by lot shall serve for a term of two years, and 11 by lot shall serve for a term of one year.))

(((a) In making appointments, the Board of Supervisors shall consult with persons and organizations interested in neighborhood recreation, parks, and open space programs, and with the General Manager, Recreation, Park Department, the Recreation and Park Commissioners, the Director of Planning and the City Planning Commission. Appointees to the Advisory Committee shall be selected because of their proven training or experience in recreation, parks and open space programs, or their recognized contribution to organizations concerned with said programs, or their identification with organizations devoted to neighborhood improvement. The 23 voting members of the Advisory Committee shall be residents of the City and County of San Francisco, and shall be broadly representative of the various community and business interests in San Francisco.))

(((b) At the initial meeting of the Advisory Committee, and in July of each year of the existence of the Advisory Committee, the Advisory Committee members shall select such officers as deemed necessary by the Committee. The Advisory Committee shall establish rules and regulations for its own organization and procedure and shall meet when necessary as determined by the Committee.))

(((c) The General Manager of the Recreation and Park Department or his or her delegated representative, and the Director of the City Planning Department or his or her delegated representative, shall meet with the Citizens Advisory Committee.))

(((d) Monies from the Open Space Acquisition and Park Renovation Fund shall be appropriated to and expended by the Advisory Committee only for costs of publicizing meeting and hearing dates, costs of publication of the Advisory Committee's minutes, and

costs of distributing information to the general public, as provided for in Section 6.413 of the Charter of the City and County of San Francisco. No monies from the General Fund of the City and County of San Francisco shall be either appropriated to or expended by the Advisory Committee.))

Each member shall be appointed to a two year term, as follows:

(1) One member shall be appointed by each Supervisor and approved by the Board of Supervisors.

(2) A second member shall be appointed by each Supervisor and approved by the Board of Supervisors from the list maintained pursuant to paragraph (b) below.

(3) One member shall be appointed by the Mayor.

(b) The Board of Supervisors shall maintain a list of individuals representing citizens' organizations which have as a major goal the preservation and enhancement of San Francisco's parks, open space and natural environment. Persons on this list shall be nominated only by a qualifying organization.

(c) Compliance with this Section shall be accomplished as promptly as possible without early termination of the term of any member of the Committee.

(d) The Committee shall choose its own chair, and establish its own rules of order. A quorum shall be a majority of the members of the Committee.

(e) The Committee shall hold regularly scheduled meetings. the Committee shall send a schedule of all Committee meetings for the calendar year to any person who so requests in writing.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore R. LaKey
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
August 13, 1990	August 20, 1990
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Kennedy Maher Nelder Walker Ward	Ayes: Supervisors Britt Hallinan Kennedy Maher Nelder Walker
Absent: Supervisors Hsieh	Absent: Supervisors Alioto Gonzalez Hongisto Hsieh Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 97-90-37

AUG 23 1990
Date Approved

Doris M. Ward
ACTING Mayor

FILE NO. 104-90-1 ORDINANCE NO. 301-90

FIXING SCHEDULES OF COMPENSATION EFFECTIVE JULY 1, 1990, TO BE PAID UNDER THE PROVISIONS OF CHARTER SECTION 8.404 TO EMPLOYEES OCCUPYING CLASSIFICATION 9163 TRANSIT OPERATOR AND RELATED TRAINEE CLASS, BY ESTABLISHING THE DOLLAR VALUE DIFFERENCE BETWEEN VACATION RETIREMENT AND HEALTH SERVICE BENEFITS TO BE PAID INTO THE TRANSPORT WORKERS UNION SAN FRANCISCO MUNICIPAL RAILWAY TRUST FUND, INCORPORATING BY REFERENCE A MEMORANDUM OF UNDERSTANDING, AND BY ESTABLISHING CONDITIONS AND BENEFITS OF EMPLOYMENT OTHER THAN WAGES FOR SAID CLASSIFICATIONS, PROVISIONS HEREOF TO REMAIN IN EFFECT UNTIL THE ADOPTION OF ANY ORDINANCE ESTABLISHING DIFFERENT PROVISIONS.

Be it ordained by the People of the City and County of San Francisco:

SECTION 1. This ordinance incorporates by reference all terms of the Memorandum of Understanding entered into between the City and County of San Francisco and Transport Workers Union of America, AFL-CIO, and Transport Workers Union, Local 250-A for fiscal year 1990-91. The provisions of this ordinance shall remain in effect after the end of fiscal year 1990-91 until the passage of an ordinance establishing different provisions.

APPROVED AS TO CLASSIFICATION
CIVIL SERVICE COMMISSION

Albert C. Walker
ACTING GENERAL MANAGER
PERSONNEL

APPROVED AS TO FORM
LOUISE RENNE

By: Theodore R. Lakey
DEPUTY CITY ATTORNEY

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
August 13, 1990	August 20, 1990
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Kennedy Maher Nelder Walker Ward	Ayes: Supervisors Britt Hallinan Kennedy Maher Nelder Walker
Absent: Supervisors Hongisto Hsieh	Absent: Supervisors Alioto Gonzalez Hongisto Hsieh Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
104-90-1

AUG 23 1990
Date Approved

Doris M. Ward
ACTING Mayor

FILE NO. 105-90-2 ORDINANCE NO. 305-90

SALARIES AND WAGES SAL. ORD. AMEND NO. 2

FIXING AND DETERMINING RATES OF COMPENSATION TO BE PAID MUNICIPAL OFFICERS AND EMPLOYEES, WHOSE OFFICES AND POSITIONS ARE ALLOCATED TO CLASSES SPECIFIED HEREIN AND COMPENSATION FOR WHICH ARE SUBJECT TO THE PROVISIONS OF SECTION 8.405 OF THIS CHARTER PROVIDING THAT SAID RATES OF COMPENSATION SHALL BE EFFECTIVE BEGINNING JULY 1, 1990 REPEALING ORDINANCE NO. 285-90.

Be it ordained by the People of the City and County of San Francisco.

Section 1. Adoption of rates of compensation subject to the provisions of Section 8.405 of the Charter - pursuant to the provisions of Section 8.405 of the Charter, the rates of compensation specified herein shall be paid beginning July 1, 1990, as provided in said Section 8.405 of the Charter, to officers and employees of the City and County of San Francisco who are occupying positions designated as or allocated to the various classifications of employment specified herein, compensations for which are subject to the provisions of said Section 8.405 of the Charter.

Section 2. Application of rates of compensation -- employees legally holding offices and positions in the classifications hereinafter set forth, the compensation for which are subject to the provisions of Section 8.405 of the Charter, as aforesaid, shall be paid July 1, 1990 as provided in said Section 8.405 of the Charter, the amount set forth herein for the classification in which the respective offices or positions are classified or allocated.

Section 3. The schedules of compensation composing the rates of pay for the respective classifications subject to the provisions of Section 8.405 of the Charter are set forth in Sections 4 and 5 hereof.

Section 4. Police Service

	BI-WEEKLY COMPENSATION			
	7/1/90	7/8/90	1/6/91	2/16/91
0390 Chief of Police	$4461	$4496	$4516	$4532
0395 Assistant Chief	3960	3991	4008	4022
0400 Deputy Chief	3754	3783	3799	3813
0488 Commander	3050	3073	3087	3098
0460 Secretary, Police Commission	2197	2214	2224	2232
0380 Inspector	1923	1938	1946	1953
Q 80 Captain	2580	2601	2612	2622
Q 63 Criminologist	2580	2601	2612	2622
Q 60 Lieutenant	2197	2214	2224	2232
Q 50 Sergeant	1923	1938	1946	1953
Q 35 Assistant Inspector	1779	1793	1800	1807
(with 2 years of service)	1923	1938	1946	1953
0520 Police Surgeon	$1658	$1671	$1679	$1685
Q 20 Policewoman 1st year	1433	1444	1450	1455
2nd year	1504	1516	1523	1528
3rd year	1579	1592	1599	1604
4th year	1658	1671	1679	1685
Q 2 Police Officer 1st year	1433	1444	1450	1455
2nd year	1504	1516	1523	1528
3rd year	1579	1592	1599	1604
4th year	1658	1671	1679	1685

	7/1/90	7/8/90	1/6/91	2/16/91
Members assigned to two-wheel motorcycle traffic duty receive the following biweekly additional compensation.	$107	$108	$108	$108

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Section 5. Fire Service

	BI-WEEKLY COMPENSATION			
	7/1/90	7/8/90	1/6/91	2/16/91
0140 Chief of Department	$4461	$4496	$4516	$4532
0145 Assistant Deputy Chief	3753	3782	3798	3812
0150 Deputy Chief of Department	3754	3783	3799	3813
0155 Secretary to Chief of Department	2953	2976	2989	3000
H 51 Assistant Deputy Chief II	3051	3074	3088	3099
H 50 Assistant Chief of Department	3050	3073	3087	3098
H 40 Battalion Chief	2638	2659	2671	2681
H 39 Captain, Division of Training	2637	2658	2670	2680
H 30 Captain	2197	2215	2225	2233
H 29 Special Services Officer	2196	2214	2224	2232
H 28 Lieutenant, Division of Training	2196	2214	2224	2232
H 20 Lieutenant	1923	1938	1947	1954
H 19 Airport Training Officer	1922	1937	1946	1953
H 18 Coordinator of Community Services	1922	1937	1946	1953
H 17 Medical Coordinator	1922	1937	1946	1953
H 16 Technical Training Assistant, Fire Dept.	1922	1937	1946	1953
H 10 Chief's Operator	1805	1819	1827	1834
H 32 Captain, Bureau of Fire Prevention and Public Safety	2483	2503	2514	2523
H 22 Lieutenant, Bureau of Fire Prevention and Public Safety	2173	2190	2200	2208
H 24 Lieutenant, Bur. of Fire Investigation	2173	2190	2200	2208
H 6 Investigator, Bur. of Fire Investigation	1985	2001	2010	2017
H 4 Inspector, Bureau of Fire Prevention and Public Safety	1985	2001	2010	2017
H 2 Firefighter 1st year	1433	1444	1450	1455
2nd year	1504	1516	1523	1528
3rd year	1579	1592	1599	1604
4th year	1658	1671	1679	1685
H110 Marine Engineer of Fireboats	2197	2214	2224	2232
H120 Pilot of Fireboat	2197	2214	2224	2232

Section 6. Placement Above The Entrance Rate.

Upon notice to the Civil Service Commission by the appointing officer, the reinstatement or reappointment of a former permanent member of the uniformed forces of the Police or Fire Department, following resignation with services satisfactory, may be made at the step in the respective salary range the returning uniformed member enjoyed immediately prior to resignation.

Section 7. Holidays.

Members of the uniformed force of the Police Department shall be entitled to the days declared to be holidays for employees whose compensations are fixed in the schedules of compensation adopted by the Board of Supervisors pursuant to the provisions of Section 8.401 of the Charter as additional days off with pay. Members shall be compensated on the basis of time and one-half as computed pursuant to Charter Section 8.451 or shall be granted equivalent time off duty with pay at the rate of time and one-half as requested by the member. Members of the uniformed force of the Police Department working a five-day work week other than Monday through Friday shall be allowed another day off if a holiday falls on one of their regularly scheduled days off. Employees whose holidays are changed because of shift rotations shall be allowed another day off if a legal holiday falls on one of their days off.

If the provisions of this section deprive an employee of the same number of holidays that an employee receives who works Monday through Friday, he/she shall be granted additional days off to equal such number of holidays. The designation of such days off shall be by mutual agreement of the employee and the appropriate supervisor with the approval of the appointing officer. In no event shall the provisions of this section result in such employee receiving more or less holidays than an employee on a Monday thru Friday work schedule.

Section 8. Police Night Differential.

Any member of the uniformed force of the Police Department who actually performs services between the hours of 5:00 p.m. and 7:00 a.m. shall be entitled to an additional 6.25% of the compensation otherwise payable for base pay therefor for all such hours worked; provided, however, that such additional compensation shall not be included for purposes of retirement benefit calculation or contributions provided elsewhere in the Charter.

Section 9. Overtime Compensation for Uniformed Members of the Police and Fire Departments.

Members who request compensation by payment for overtime worked shall be paid within fourteen (14) days after the end of the pay period during which said overtime was worked. Members who request equivalent time off duty for overtime worked shall have their compensatory time account adjusted within fourteen (14) days after the end of the pay period during which said overtime was worked.

Section 10. Savings Clause.

If it shall be determined by any court of competent jurisidiction that any salary or wage rate schedule of compensation fixed herein, or any provision hereof, is contrary to the provisions of Section 8.405 of the Charter, or of any provisions of the Charter or Law, such determination shall not affect the validity of any other salary wage or rate of compensation or provisions in this ordinance.

Section 11. The rate of compensation provided for in said Sections 4 and 5 of this ordinance shall become effective July 1, 1990.

Section 12. Ordinance No. 285-90 is hereby repealed.

APPROVED AS TO CLASSIFICATION:
CIVIL SERVICE COMMISSION

GENERAL MANAGER, PERSONNEL

APPROVED AS TO FORM:
LOUISE RENNE, CITY ATTORNEY

By: _____
DEPUTY CITY ATTORNEY

4022n

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
August 13, 1990	§	August 20, 1990
	§	
	§	
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Kennedy Maher Nelder Walker Ward	§	Ayes: Supervisors Britt Hallinan Kennedy Maher Nelder Walker
	§	
	§	
Absent: Supervisors Hsieh	§	Absent: Supervisors Alioto Gonzalez Hongisto Hsieh Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

AUG 23 1990

File No.
105-90-2

Date Approved

Doris M. Ward
ACTING Mayor

As amended in Board 8/13/90

FILE NO. 115-90-6.1

ORDINANCE NO. 306-90

(Oil and Gas Facilities Ordinance)

AMENDING PART II, CHAPTER II OF THE SAN FRANCISCO MUNICIPAL CODE (CITY PLANNING CODE) BY ADDING ARTICLE 12 TO CREATE THE M-2(OGS) AND M-2(OGP) OVERLAY ZONING DISTRICT CATEGORIES AND TO REQUIRE CONDITIONAL USE AUTHORIZATION FOR ACTIVITIES RELATED TO THE CONSTRUCTION AND OPERATION OF OIL AND GAS FACILITIES, AND ADOPTING FINDINGS PURSUANT TO CITY PLANNING CODE SECTION 101.1

8/13/90
ejp

NOTE: This Article is entirely new.

Be it ordained by the people of the City and County of San Francisco:

SECTION 1. FINDINGS.

1. On November 4, 1986, the people of the City and County of San Francisco enacted Appendix M of the San Francisco Charter, which adopted a moratorium on the use, development or construction of crude oil and gas processing and support facilities in San Francisco.

2. Appendix M provides that during the moratorium period, the City Planning Commission shall study the need for permanent and comprehensive controls and shall analyze the social, economic and physical impact of the use, development and construction of crude oil and gas processing and support facilities.

3. The Department of City Planning is participating in a Regional Studies Program formed for the purposes of compiling and generating information regarding the potential impacts of oil and gas exploration and production.

4. Several background studies have been completed by the Regional Studies Program which examine the potential physical and socioeconomic impacts of oil and gas exploration and development.

5. An onshore oil and gas supply base can require up to 35 acres of land and an oil and gas processing facility can require up to 140 acres of land for typical operations.

6. Oil and gas supply bases can generate 300 pounds of solid waste daily.

SEP 11 1990

7. Offshore oil and gas drilling and processing can generate up to 82,000 barrels of contaminated drilling muds and cuttings, which would be transported through an onshore supply base to a Class I landfill disposal site.

8. Oil and gas processing facilities can generate 2,600 barrels per year of hazardous waste, requiring Class I landfill disposal.

9. Oil and gas supply bases can generate up to two helicopter trips per day per offshore platform during platform production and development drilling.

10. Oil and gas supply bases and processing facilities each are sources of air pollution, producing reactive hydrocarbons, nitrogen oxides, sulfur dioxide, carbon monoxide and total suspended particulates.

11. Both oil and gas supply bases and oil and gas processing facilities are potential sources of accidents which could include oil spills, fires, explosions or explosive releases of gases.

12. The value of public and private land and improvements along San Francisco Bay within the City and County of San Francisco has been estimated at over six billion dollars.

13. There are approximately 180 commercial fishing vessels registered in San Francisco County, landing approximately 21 million pounds of fish annually, valued at about 9 million dollars.

14. San Francisco County has been estimated to provide about 4.5 million person days per year of water-related recreational activity, with about 3.1 million of those person days related to San Francisco Bay.

15. The estimated expenditures on coastal-related recreational activity in San Francisco County have been estimated to be about 140 million dollars annually, with about 51 million dollars related to activity in San Francisco Bay.

16. The U. S. Department of Interior proposes to lease 1.7 million acres of coastal waters off of central California for potential oil and gas exploration and development.

17. The Final Environmental Impact Statement published by the U. S. Department of Interior which examined potential impacts from the proposed leasing program concluded that supply bases may be located in San Francisco.

18. The impacts associated with development of onshore oil and gas supply bases or processing facilities could have adverse impacts upon fishing and other coastal dependent industries, tourism, recreation and open space areas in San Francisco, as well as regional air and water quality and the marine environment.

19. The physical and socioeconomic impacts which could result from such onshore oil and gas facilities could occur whether oil and gas exploration and drilling occurred in federal waters, state waters and/or on land.

20. Objective 4, Policy 4 of the Environmental Protection Element of the Master Plan of the City and County of San Francisco encourages the development of nonpolluting industry.

21. Objective 16, Policy 1 of the Environmental Protection Element of the Master Plan of the City and County of San Francisco is to develop land use policies that will encourage the use of renewable energy sources.

22. Objective 3, Policy 2 of the Environmental Protection Element of the Master Plan of the City and County of San Francisco is to promote the use and development of shoreline areas consistent with the Master Plan and the best interest of San Francisco.

23. Objective 5, Policies 7 and 8 of the Commerce and Industry Element of the Master Plan of the City and County of San Francisco are to restore the fishing industry to San Francisco and encourage maritime activity which complements visitor activity and resident recreation.

24. The existing Planning Code of the City and County of San Francisco would restrict production or refining of petroleum products to M-2 (heavy Industrial) districts and would require Conditional Use authorization for such uses.

25. The existing Planning Code of the City and County of San Francisco would allow supply bases for oil and gas exploration, development and processing in C-M (Heavy Commercial), M-1 (Light Industrial) and M-2 districts.

26. The existing Planning Code provides no further guidance or procedures for the regulation of oil and gas facilities.

27. It is necessary to include additional provisions in the Planning Code in order to ensure that all currently available information is taken into account in the regulatory process for review and approval of permit applications for oil and gas facilities.

28. It is necessary to include additional provisions in the Planning Code in order to respond to the mandate of Appendix M of the San Francisco Charter, and to ensure implementation of existing Master Plan policies.

SECTION 2. Part II, Chapter II of the San Francisco Municipal Code (City Planning Code) is hereby amended by adding Article 12 as follows:

Sec. 1201. TITLE.

This ordinance shall be known as the Oil and Gas Facilities Ordinance.

Sec. 1201.1. OIL AND GAS FACILITIES DISTRICT PROVISIONS.

The provisions set forth in this Article 12 shall regulate the land use activities, structures, equipment and/or facilities associated with oil and gas exploration, development and processing. In the event of conflict between provisions of Article 12 and other provisions of this Code, the provisions of Article 12 shall prevail.

Sec. 1202. PURPOSE AND INTENT OF ARTICLE 12.

This Article is intended to regulate all land use activities associated with oil and gas exploration, development and processing, in order to ensure consistency between this Code and the Master Plan of the City and County of San Francisco. More specifically, the purposes of this Article are:

(a) To provide in one Article a comprehensive listing of zoning categories, control provisions and review procedures which are applicable to permits for land use activities associated with oil and gas exploration, development and processing;

(b) To establish zoning control categories which regulate the full range of land use activities that are associated with oil and gas exploration, development and processing;

(c) To establish a zoning system which will ensure compatibility of land uses permitted within neighboring zoning districts, to the maximum extent feasible;

(d) To protect existing and future land use activities which are not related to oil and gas exploration, development and processing from the potential harmful effects of activities which are associated with oil and gas exploration, development and processing.

Sec. 1203. OIL AND GAS FACILITIES OVERLAY DISTRICTS.

The following two classes of overlay zoning districts are established for the purpose of regulating land use activities associated with oil and gas exploration, development and processing:

(a) M-2(OGS): Heavy Industrial, Oil and Gas Support Facilities, Overlay District; and

(b) M-2(OGP): Heavy Industrial, Oil and Gas Processing Facilities, Overlay District.

The M-2(OGS) overlay zoning district is defined in Section 1205, below. The controls applicable within said district are provided in Section 1205.1.

The M-2(OGP) overlay zoning district is defined in Section 1206, below. The controls applicable within said district are provided in Section 1206.1.

Sec. 1204. MAPPING OF OIL AND GAS FACILITIES OVERLAY DISTRICTS.

The M-2(OGS) and M-2(OGP) overlay zoning districts shall be mapped in accordance with the established procedures for amendments to the Zoning Map, as set forth in Article 3 of this Code. Every application for the mapping of

such an overlay district shall be accompanied by a Preliminary Development Plan, as described in Sections 1207 and 1207.1, below.

The application to map an M-2(OGS) or an M-2(OGP) district shall not be approved unless a finding is made that there are no feasible alternative locations within San Francisco where the potential adverse environmental impacts of an oil and gas facility could be reduced or avoided.

Sec. 1205. M-2(OGS) - HEAVY INDUSTRIAL, OIL AND GAS SUPPORT FACILITIES, OVERLAY DISTRICT.

This overlay district is intended to regulate the staging areas associated with oil and gas exploration, development and processing. The provisions related to this district shall apply to all activities, facilities, structures and equipment necessary or incidental to oil and gas exploration, development and processing. Such activity generally consists of, but is not limited to, the storage and transport of equipment, supplies, materials, waste products and personnel to and from development areas during construction of structures and exploration, development or processing of petroleum products. Such activity shall also include, but not be limited to, oil spill containment and recovery equipment, supplies, facilities, structures and operations, but only when in conjunction with other oil and gas support facilities at the same site.

The M-2(OGS) district can only be mapped as an overlay to a site within an M-2 (Heavy Industrial) district.

Sec. 1205.1. CONTROLS APPLICABLE WITHIN M-2(OGS) OVERLAY DISTRICT.

(a) Staging areas associated with oil and gas exploration, development and processing shall be permitted as a Conditional Use within an M-2(OGS) overlay district, in accordance with the established procedures for Conditional Use, as set forth in Article 3 of this Code. Staging areas proposed in conjunction with processing facilities shall also be permitted within an M-2(OGP) overlay district, in accordance with the regulations prescribed below in Sections 1206 and 1206.1.

(b) No application for Conditional Use pursuant to this section shall be accepted by the Department of City Planning until an M-2(OGS) overlay district has first been mapped pursuant to Section 1204, above.

(c) Every application for Conditional Use pursuant to this section shall be accompanied by a proposed Final Development Plan, as described in Section 1207.2, below. In making the Conditional Use findings required by Section 303 of this Code, the City Planning Commission shall also be required to approve the Final Development Plan submitted by the applicant, pursuant to the procedures set forth in Section 1207.3, below.

(d) In addition to the requirements prescribed in subsections 1205.1(a) through 1205.1(c), above, no application for a staging area shall be approved unless the City Planning Commission finds either that the following development standards are satisfied, or that the applicant agrees to satisfy the following standards as a condition of project approval:

(1) The applicant has received "Authority to Construct" from the Bay Area Air Quality Management District, if applicable;

(2) The project will comply with all aspects of the City's Noise Ordinance, Article 29 of the Police Code. Such controls shall apply, but not be limited to construction equipment, operational noise, and all transportation vehicles accessing the site, including marine vessels and helicopters; and

(3) No materials or equipment shall be delivered to or removed from the site via streets within a residentially zoned district between the hours of 7 p.m. and 7 a.m. of the following day.

Sec. 1206. M-2(OGP) - HEAVY INDUSTRIAL, OIL AND GAS PROCESSING FACILITIES, OVERLAY DISTRICT.

This overlay district is intended to regulate the processing facilities necessary or related to oil and gas exploration, development and processing. The provisions related to this district shall apply to all aspects of the production of oil and gas, including but not limited to:

(a) Structures, equipment or facilities that process, convert, refine and/or treat crude oil and gas, including facilities that separate crude oil and gas from sea water and dissolved chemicals;

(b) Pipelines, crude oil tanker facilities and other related methods by which crude oil and gas are transported to crude oil and gas processing or support facilities;

(c) Storage tanks necessary or incidental to separation/treatment of oil and gas, or temporary storage of separated hydrocarbons, if related to an oil and gas processing operation, and equipment for transfer of the produced hydrocarbons to pipelines or tanker trucks, if related to an oil and gas processing operation;

(d) Access roads necessary or incidental to an oil and gas production operation;

(e) Oil spill containment and recovery equipment, supplies, facilities structures and operations, but only when proposed in conjunction with processing facilities; and

(f) Staging areas, as described above in Section 1205, but only when proposed in conjunction with processing facilities.

The M-2(OGP) district can only be mapped as an overlay to a site within an M-2 (Heavy Industrial) district.

Sec. 1206.1. CONTROLS APPLICABLE WITHIN M-2(OGP) OVERLAY DISTRICT.

(a) Processing facilities necessary or related to oil and gas exploration and development shall be permitted only within an M-2(OGP) overlay district, and only as a Conditional Use, in accordance with the established procedures for Conditional Use, as set forth in Article 3 of this Code. Support facilities, as described above in Section 1205, shall also be permitted as a Conditional Use within an M-2(OGP) overlay district.

(b) No application for Conditional Use pursuant to this section shall be accepted by the Department of City Planning until an M-2(OGP) overlay district has first been mapped pursuant to Section 1204, above.

(c) Every application for Conditional Use pursuant to this section shall be accompanied by a proposed Final Development Plan, as described in Section 1207.2, below. In making the Conditional Use findings required by Section 303 of this Code, the City Planning Commission shall also be required to approve the Final Development Plan submitted by the applicant, pursuant to the procedures set forth in Section 1207.3, below.

(d) In addition to the requirements prescribed in subsections 1206.1(a) through 1206.1(c), above, no application for a processing facility shall be approved unless the City Planning Commission finds either that the following development standards are satisfied, or that the applicant agrees to satisfy the following standards as a condition of project approval:

(1) The applicant has received "Authority to Construct" from the Bay Area Air Quality Management District, if applicable;

(2) The project will comply with all aspects of the City's Noise Ordinance, Article 29 of the Police Code. Such controls shall apply, but not be limited to construction equipment, operational noise, and all transportation vehicles accessing the site, including marine vessels and helicopters;

(3) No materials or equipment shall be delivered to or removed from the site via streets within a residential district between the hours of 7 p.m. and 7 a.m. of the following day.

(4) The project shall be made visually compatible with its surrounding land uses by any or all of the following measures: buffer strips, berms, landscaping, camouflage and/or painting;

(5) All lights shall be shielded so as not to directly shine on adjacent properties; and

(6) With regard to any pipelines required for the project:

(A) No construction activity or deliveries within or through a residentially zoned district shall occur between the hours of 7 p.m. and 7 a.m. of the following day;

(B) All equipment and activities shall be restricted to the pipeline right-of-way;

(C) The pipeline corridor shall be sited so as to avoid residential, recreational, and archaeological resource areas, to the maximum extent possible;

(D) Automatic shut-off valves shall be utilized so as to minimize the amount of a spill in the event of an accident; and

(E) Appropriate measures for spill containment and clean-up specific to pipelines shall be included in the Final Development Plan.

Sec. 1207. DEVELOPMENT PLANS

(a) Development plans, within the meaning of this Article, are intended to provide the City Planning Commission with project description information for a project which is being reviewed pursuant to this Article. Development plans are intended to be used in conjunction with any other required materials so as to enable the City Planning Commission to make an informed decision on an application.

(b) No decision shall be made by the City Planning Commission regarding the proposed mapping of an oil and gas facilities overlay district unless a Preliminary Development Plan, as described in Section 1207.1, below, has been submitted with the application for a zoning map amendment.

(c) No decision shall be made by the City Planning Commission regarding the proposed construction or operation of an oil and gas support facility or an oil and gas processing facility until a Final Development Plan has been approved pursuant to the procedures set forth in Section 1207.3, below.

Sec. 1207.1. CONTENTS OF PRELIMINARY DEVELOPMENT PLAN

Every application to map an oil and gas overlay district shall include a Preliminary Development Plan as a part of the application. The information submitted as part of the Preliminary Development Plan shall consist of the following:

(a) Statement of intent regarding proposed activities and facilities operations;

(b) Preliminary site plan and building elevations;

(c) Statement of intent regarding anticipated infrastructure or other public service improvements, on or off site, necessary for proposed activities and facilities operations. Such infrastructure or other public service improvements shall include, but not be limited to, water, gas, electric, telephone and sewage disposal services, fire protection, police protection and public or private transportation improvements (piers, helipads, roads and transit connections).

(d) Any other relevant supplementary data requested by the City Planning Commission or the Department of City Planning staff.

Sec. 1207.2. CONTENTS OF FINAL DEVELOPMENT PLAN

Every application for Conditional Use approval of either an oil and gas support facility or an oil and gas processing facility shall include a Final Development Plan as a part of the application. The information submitted as part of the Final Development Plan shall consist of the following:

(a) Detailed plans of the proposed development, drawn to scale, showing:

(1) Site boundaries and dimensions;

(2) Location, use and square footage of all existing and proposed structures;

(3) Elevations of all proposed structures;

(4) All interior circulation patterns including existing and proposed streets, walkways, bikeways, and connections to existing or proposed roads or rights of way;

(5) Location of all utility easements;

(6) Location and use of all buildings and structures within 50 feet of the boundaries of the site;

(7) Location and boundaries of land devoted to public uses, open space and recreational use, within 300 feet of the boundaries of the site;

(8) Location and number of proposed parking spaces; and

(9) All easements of record on the site.

(b) Geotechnical report, including a contour map showing existing natural contours and proposed grading, if grading is proposed;

(c) Proposed drainage system;

(d) Cultural resources report;

(e) Measures proposed to reduce nuisance effects from activities or operations on site, including, but not limited to, measures to reduce noise, vibration, dust, odor, smoke, fumes, glare, transportation and recreational impacts;

(f) Measures proposed to prevent health and safety hazards;

(g) Proposed public access or recreational areas, if any;

(h) Phasing plan for the project, indicating the anticipated timetable for project construction, operation, completion and abandonment;

(i) Proposed plans regarding abandonment or discontinuance of activities or operations, including plans for site restoration;

(j) Plans for consolidation of activities or facilities, to maximum extent feasible, with similar operations on same or another site;

(k) Plans for transportation of all oil and gas to and from the site, if applicable;

(l) Plans and procedures for the transport and disposal of all solid and liquid wastes;

(m) Oil spill prevention, containment and control measures, if applicable;

(n) Fire prevention procedures;

(o) Emergency response and evacuation plans, which shall include actions and remedies to be initiated by project applicant, and proposed method of notifying Fire Department, Police Department, Health Department, Mayor's Office, and all other applicable agencies in the event of fire, spill or any other hazardous event or condition on the site which is not incidental to normal operations at the site;

(p) Emission control equipment;

(q) Proposed method of satisfying all mitigation measures included in the project, as identified in the environmental review document prepared for the project; and

(r) Any other relevant supplementary data requested by the City Planning Commission or the Department of City Planning staff.

Sec. 1207.3. PROCESSING OF FINAL DEVELOPMENT PLANS

(a) The City Planning Commission shall make a decision on a Final Development Plan as a part of its determination on the Conditional Use application, for which the Final Development Plan was prepared.

(b) No Final Development Plan shall be approved unless the City Planning Commission makes each of the following findings, in addition to those required by Section 303 of this Code:

(1) That consolidation at an existing facility within San Francisco is not feasible;

(2) That the proposed project will be located, designed and operated so as to minimize adverse impacts on the physical and social environment;

(3) That noise, vibration, air quality, water quality, light, aesthetic impacts and other potential nuisance or annoyance impacts shall be eliminated or reduced to the maximum extent possible through incorporation of the best available technology for mitigation of adverse project impacts.

Sec 1208. SEVERABILITY

If any provision or clause of this ordinance or its application to any person or circumstance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other chapter provisions and clauses of this chapter are declared to be severable.

8/13/90

Section 3. PRIORITY POLICIES FINDINGS

The Board of Supervisors adopts and incorporates herein as though fully set forth the City Planning Commission's determination that the proposed amendments to the Planning Code are consistent with San Francisco Planning Code Section 101.1 priority policies in the manner described in City Planning Commission Resolution No. 11926, adopted on April 26, 1990, a copy of which is on file with this Board in File No. 115-90-6.1

ejp

APPROVED AS TO FORM:

By: Theodore R. Lakey
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
August 13, 1990	August 20, 1990
Ayes: Supervisors Alioto Britt Gonzalez Hongisto Kennedy Maher Nelder Walker Ward	Ayes: Supervisors Alioto Britt Kennedy Maher Nelder Walker
Noes: Supervisors Hallinan	Noes: Supervisors Hallinan
Absent: Supervisors Hsieh	Absent: Supervisors Gonzalez Hsieh Hongisto Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John L. Taylor
Clerk

File No.
115-90-6.1

AUG 23 1990
Date Approved

Doris M. Ward
ACTING Mayor

FILE NO. 96-90-3 ORDINANCE NO. 307-90

[Sale of Surplus Property]

AUTHORIZING SALE OF SURPLUS CITY-OWNED PROPERTY; AND ADOPTING FINDINGS PURSUANT TO PLANNING CODE SECTION 101.1.

Be it Ordained by the People of the City and County of San Francisco:

Section 1. In accordance with the recommendation of the Director of Public Works, the Director of the Mayor's Office of Housing and the Director of Property, the Board of Supervisors hereby declares that the public interest and necessity require the direct sale of Lot 37 in Assessor's Block 805 to the Progress Foundation, a non-profit corporation, for the purpose of constructing two homes for low income clients of the mental health system.

Section 2. The Department of Public Works has determined that said property is surplus to their needs and no longer required for municipal purposes.

Section 3. The Department of City Planning has reported on September 30, 1988 that the sale of the subject property is in conformity with the Master Plan and consistent with the eight priority policies of Planning Code Section 101.1; and the Board of Supervisors adopts as its own the findings of consistency with the eight priority policies as set forth in the Department of City Planning's letter dated September 30, 1988, which is on file with the Clerk of the Board of Supervisors.

Section 4. Pursuant to Section 7.401 of the City Charter, the Director of Property has made an appraisal of the value of said parcel. The Progress Foundation has offered to purchase said parcel for $90,000, which sum represents 100% of the appraised value. The Progress Foundation has received a loan commitment from the Mayor's Office of Housing for the funds necessary to purchase said parcel. The $90,000 will be credited to the Special Gas Tax Street Improvement Fund.

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Section 5. The offer of the Progress Foundation is hereby accepted and the Mayor and the Clerk of the Board of Supervisors are authorized to execute and the Director of Property deliver a deed to the Progress Foundation upon receipt of the purchase price.

RECOMMENDED:

Director of Public Works

Barbara T. Smith
Director of the Mayor's Office of Housing

Director of Property

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By
Deputy City Attorney

1993

SEP 18 1990

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
August 20, 1990	§	August 27, 1990
	§	
	§	
Ayes: Supervisors Alioto Britt Hallinan Kennedy Maher Nelder Walker	§	Ayes: Supervisors Alioto Gonzalez Hallinan Hsieh Kennedy Maher Nelder Walker Ward
	§	
Absent: Supervisors Gonzalez Hsieh Hongisto Ward	§	Absent: Supervisors Britt Hongisto
	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

AUG 29 1990 _____ John L. Taylor
Clerk

File No.
96-90-3

_____ _____
Date Approved Mayor

AMENDMENT OF THE WHOLE 8/15/90

FILE NO. 101-90-3

ORDINANCE NO. 308-90

RO #90027 SA #7

(Government Funding)

APPROPRIATING $547,441 FOR PERMANENT SALARIES - CRAFT, RELATED MANDATORY FRINGE BENEFITS AND FACILITIES MAINTENANCE PROJECT (YGC ASBESTOS ABATEMENT) FOR THE CREATION OF ONE (1) POSITION, JUVENILE COURT FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L. 496 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000006	General Reserve	$ 59,441	
G.L. 904 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000098	Capital Improvements Reserve	488,000	
12-02-00	Juvenile Court - Project		
Project 296-01	YGC Asbestos Abatement		
20-2020 (318170)	Facilities Maintenance Project		$ 488,000
12-01-00	Administration		
01-0030 (319574)	Permanent Salaries - Craft		47,268
04-0600	Retirement		7,090
04-0606	Social Security		3,616
04-0610	Health Service		1,467
	Total - Administration		$ 59,441
	Grand Total	$ 547,441	$ 547,441

Section 2. Funds are hereby appropriated for one (1) position created by amendment to the Annual Salary Ordinance (Board of Supervisors File No. 102-90-3) as follows:

FUND:	GENERAL FUND		
DEPARTMENT:	JUVENILE COURT		
CLASSIFICATION:		RATE	CREATED
7334 N Stationary Engineer		$1,329 B $ 1611	1

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

[signature]
CONTROLLER

APPROVED:
CIVIL SERVICE COMMISSION

BY: [signature]
GENERAL MANAGER, PERSONNEL

SEP 18 1990

Board of Supervisors, San Francisco

Passed for Second Reading

August 20, 1990

Ayes: Supervisors Alioto Britt Hallinan Kennedy Maher Nelder Walker

Absent: Supervisors Gonzalez Hsieh Hongisto Ward

Finally Passed

August 27, 1990

Ayes: Supervisors Alioto Gonzalez Hallinan Hsieh Kennedy Maher Nelder Walker Ward

Absent: Supervisors Britt Hongisto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

AUG 29 1990

Date Approved

Mayor

File No.
101-90-3

FILE NO. 45-90-40

ORDINANCE NO. 309-90

RO #90030

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF BANK OF AMERICA AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $6,871,059 IN THREE EQUAL NON-INTEREST BEARING INSTALLMENTS.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the actions entitled "BANK OF AMERICA V. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court Nos. 759-301, 781-241, 799-461, 822-803, 829-963, 838-701, 854-704, 866-573, 915-273 by permitting judgments to be entered in said actions in the total amount of $6,871,059 to be paid in three equal, non-interest bearing installments as follows:

December 31, 1990	$2,290,353
July 31, 1991	$2,290,353
July 31, 1992	$2,290,353

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:
ASSESSOR

SAM DUCA

FUNDS AVAILABLE:

CONTROLLER

JUL 16 1990

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
August 20, 1990	August 27, 1990
Ayes: Supervisors Britt Hallinan Kennedy Maher Nelder Walker	Ayes: Supervisors Alioto Gonzalez Hallinan Hsieh Kennedy Maher Nelder Walker Ward
Absent: Supervisors Alioto Gonzalez Hongisto Hsieh Ward	Absent: Supervisors Britt Hongisto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

AUG 29 1990

Clerk

File No.
45-90-40

Date Approved

Mayor

SEP 18 1990

FILE NO. 45-90-41 ORDINANCE NO. 310-90

RO #90031

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF CROCKER NATIONAL BANK AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $2,879,367 IN THREE EQUAL NON-INTEREST BEARING INSTALLMENTS.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the actions entitled "CROCKER NATIONAL BANK ET AL. v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court Nos 829-598, 777-935, 801-263, 800-461, 818-235, 758-460, 834-48, 858-853, 866-963, 866-964, 866-965, 914-545 by permitting judgments to be entered in said actions in the total amount of $2,879,367 to be paid in three equal, non-interest bearing installments as follows:

December 31, 1990	$959,789
July 31, 1991	$959,789
July 31, 1992	$959,789

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:
ASSESSOR

SAM DUCA

FUNDS AVAILABLE:

CONTROLLER

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
August 20, 1990	August 27, 1990
Ayes: Supervisors Britt Hallinan Kennedy Maher Nelder Walker	Ayes: Supervisors Alioto Gonzalez Hallinan Hsieh Kennedy Maher Nelder Walker Ward
Absent: Supervisors Alioto Gonzalez Hongisto Hsieh Ward	Absent: Supervisors Britt Hongisto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

AUG 29 1990

Clerk

File No.
45-90-41

Date Approved

Mayor

SEP 18 1990
PUBLIC LIBRARY

As amended in committee
8/14/90

FILE NO. 45-90-45

ORDINANCE NO. 311-90

RO #90042

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF CLAIM ARISING OUT OF U.S.A. v. C.C.S.F., ET AL.; DAVIS, ET AL. v. C.C.S.F., NOS. C84-7089 MHP and C84-1100 MHP (CONSOLIDATED) FOR ~~$23,000~~ $30,000, AND THE COST OF A 28 DAY ALCOHOL REHABILITATION PROGRAM, THE TOTAL COST OF THE REHABILITATION PROGRAM NOT TO EXCEED $5,000.

kg
8/14

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the claim of Curtis Givens arising out of of U.S.A. v. C.C.S.F., et al.; Davis, et al. v. C.C.S.F., Nos. C84-7089 MHP and C84-1100 MHP (Consolidated) by the payment of $23,000 and the cost of a 28 day alcohol rehabilitation program; the cost to the City and County of San Francisco of the rehabilitation program shall not exceed $5,000.

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

By: BRUCE T. CAROLAN
Deputy City Attorney

RECOMMENDED:

SAN FRANCISCO FIRE DEPARTMENT

FREDERICK F. POSTEL
Chief of Department

FUNDS AVAILABLE:

SAM YOCKEY
Controller

APPROVED:

SECRETARY

21 001 27 00 31

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
August 20, 1990	August 27, 1990
Ayes: Supervisors Alioto Britt Hallinan Kennedy Maher Nelder Walker Ward	Ayes: Supervisors Alioto Gonzalez Hallinan Hsieh Kennedy Maher Nelder Walker Ward
Absent: Supervisors Gonzalez Hsieh Hongisto	Absent: Supervisors Britt Hongisto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
45-90-45

AUG 29 1990
Date Approved

Mayor

SEP 18 1990

PUBLIC LIBRARY

CANCELLED

CANCELLED

Ordinance No. 312-90

SEP 18 1990
PUBLIC LIBRARY

CANCELLED

CANCELLED

CANCELLED

CANCELLED

CANCELLED

CANCELLED

Ordinance No. 313-90

SEP 18 1990

CANCELLED

CANCELLED

As amended in Committee 7/26/90

FILE NO. 97-90-6

ORDINANCE NO. 314-90

[Divestment]

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING CHAPTER 10, ARTICLE XIX, BY AMENDING SECTIONS 10.210, 10.211, 10.212, 10.213, 10.214, 10.215, 10.216, 10.217, AND 10.219 THEREOF, TO PROHIBIT LEASES, PERMITS, LICENSES OR OTHER AGREEMENTS FOR USE OF CITY PROPERTY WITH PERSONS, FINANCIAL INSTITUTIONS OR OTHER BUSINESSES HAVING SPECIFIED RELATIONS WITH EITHER THE GOVERNMENT OF SOUTH AFRICA OR CERTAIN PRIVATE ENTITIES DOING BUSINESS WITH OR IN SOUTH AFRICA; CLARIFYING PROHIBITED RELATIONSHIPS; EXCEPTIONS; AND ADDING SECTION 10.218, ALLOWING AN ENTITY TO SUBMIT A DECLARATION PURSUANT TO A WITHDRAWAL PLAN.

Note: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 10 of the San Francisco Administrative Code is hereby amended by amending Sections 10.210, 10.211, 10.212, 10.213, 10.214, 10.215, 10.216, 10.217 and 10.219 thereof, and adding Section 10.218 thereto, to read as follows:

ARTICLE XIX

DIVESTMENT

SEC. 10.210. FINDINGS. The Board of Supervisors finds and declares that the City and County has a moral responsibility to take any lawful action to end racial discrimination. The government of South Africa has institutionalized racial discrimination under its law of apartheid, establishing a white monopoly of power and thereby denying its African, Colored and Asian citizens the right to participate in the political process or to benefit from an unbiased system of law. The Board of Supervisors finds and declares that the system of apartheid is morally repugnant to the people of the City and County. In reaction against the apartheid system many in South Africa re engaging in civil disobedience, resulting in the destabilization of the economy, making investment in South Africa imprudent.

Under this Article the City and County wishes to exercise its power to make economic decisions involving its own funds and property as a participant in the marketplace. The Board of Supervisors therefore finds and declares that it intends to exercise the City and County's right to measure the moral character of its ((business)) relations in determining with whom it shall conduct business or grant privileges. The Board of Supervisors acknowledges and promulgates this Article consistent with the approval of the electorate of Proposition "J", on the November 4, 1984 general election, calling for the divestment of the City and County's pension funds and Proposition "V", on the November 4, 1987 general election, calling for an anti-apartheid consumer boycott. The City enacts this Article to prohibit deposits, investments or other specified uses of City funds and property with persons, financial institutions and other businesses which maintain business relations with South Africa entities.

SEC. 10.211. DEFINITIONS. As used in this Article, the following words and phrases shall have the meanings indicated herein:

A. "City" or "City and County" shall mean the City and County of San Francisco, or any department, board, commission or agency thereof.

B. "City funds" shall mean all monies or other assets received and managed by, or are otherwise under the control of, the Treasurer, and any notes, bonds, securities, certificates of indebtedness or other fiscal obligations issued by the City and County.

SEP 21 1990

C. "Commodities" shall include, but not be limited to, goods, commodities, materials, supplies, vehicles, machinery, and equipment.

D. "Contract" shall include, but not be limited to, any contract, purchase order, term purchase agreement or other binding written obligation of the City and County.

E. "Contracting officer" shall mean that officer or employee of the City and County authorized under the Charter, the Administrative Code or the Municipal Code, to enter into a contract on behalf of the City and County. "Contracting Officer" shall include the Mayor, the Chief Administrative Officer, each department head or general manager, and other employees of the City and County authorized to enter into contracts or other binding agreements on behalf of the City and County.

F. "Contractual Services", for purposes of Section 10.213, shall mean investment counseling, underwriting, acting as a trustee or escrow agent, providing any consulting advice or assistance under a professional or personal service contract, and services provided pursuant to any contract subject to Charter Section 8.300-1. "Contractual Services" shall not include transactions of the City and County subject to Section 10.212 of this Article, or purchase orders, term purchase agreements or other agreements of the City and County for the purchase of a commodity under Section 10.214.

G. "Declaration" shall mean the Declaration Under Penalty of Perjury which Contractors are required to execute certifying that they do not do business in South Africa within the meaning of this Ordinance.

((G.)) H. "Financial institutions" shall mean any bank, savings and loan, thrift, whether chartered or not by the United States or the State of California, or any other business entity

whose primary purpose is the acceptance of monetary deposits, making of loans and the investing of monetary assets.

((H.)) I. "Government of South Africa" or "South Africa" shall mean any public or quasi-public entity operating within the Republic of South Africa, including, but not limited to, municipal, provincial, national, or other government bodies (including all departments, agencies and other instrumentalities of such bodies), public utilities, public facilities, or any national corporation in which the public sector of the Republic of South Africa has a financial interest or operational responsibilities, and including Bantustans or so-called independent "Homelands".

((I.)) J. "Loans" shall mean the provision of monies for a consideration and shall include deposits in a financial institution, the provision of lines of credit or loans made as a participant in lending consortia.

K. "Prohibited Ownership Interest" shall mean the ownership or acquisition by any person, entity or financial institution, directly or indirectly, of the beneficial ownership of more than five percentum (5%) of equity ownership, of whatever kind, of a business which engages in commercial activities in South Africa, including activities described in Sections 10.212(A)(1), 10.213(A)(1), (2) or (3); or the direct or indirect ownership or acquisition of any entity or financial institution seeking to do business with the City and County of San Francisco of more than five percentum (5%) of equity ownership, of whatever kind, by a person, entity or financial institution doing business in South Africa, including activities described in Sections 10.213(A)(1), (2) or (3); provided, however, that where the ownership interest of a person, entity or financial institution is indirect, the percentage of prohibited ownership interest shall be determined by successively

multiplying all applicable ownership percentages within the chain of business entity ownership.

((J.)) L. "Purchaser" shall mean the Purchaser of the City and County or any authorized representative of that official.

((K.)) M. "Treasurer" shall mean the Treasurer of the City and County((,)) or any authorized representative of that official.

SEC. 10.212. DEPOSIT AND INVESTMENT OF CITY FUNDS.

A. Prohibited Transactions.

1. No City funds shall be deposited or remain deposited in, or be invested or remain invested in, the accounts, certificates, stocks, bonds, securities, or other obligations of, or with any financial institution having a prohibited ownership interest or which after ((the effective date of this Article)) March 9, 1986, makes or renews or underwrites the security of ((, or)) any loan to:

(a) the government of South Africa; or

(b) any business entity organized under the laws of South Africa and doing business in South Africa; or

(c) any business entity for the express purpose of doing business with, conducting operations in, or trading with any public or private entity located in South Africa. In determining whether a deposit, loan or investment is made to another person or entity for the express purpose of assisting that other person or entity to do business with South Africa or any private business entity located in South Africa, the person or entity making the deposit, loan or investment will not be required to make any inquiry beyond that made in the normal course of that person's or entity's business.

///

2. Section 10.212(((A)(1))) shall not apply to the situation in which a financial institution:

(a) honors a pre-existing contractual obligation having a term, or remaining term, not greater than five years from ((the effective date of this Article)) March 9, 1986; or

(b) engages in normal correspondent banking relationships other than providing deposits for, or making loans to, any financial institution organized and operating in South Africa; or

(c) engages in activities required to assure repayment of credit provided before ((the effective date of this Article)) March 9, 1986 provided such activities do not involve the provision of new or additional monies((.)); or

(d) acquires in good faith any equity ownership, of whatever kind, in any person, entity or financial institution in connection with a debt previously contracted if the intent of the financial institution is to divest that ownership within a reasonable period of time, as required by federal law and the rules and regulations of the Office of the Comptroller of the Currency and the Federal Reserve Board; or

(e) owns or acquires a minority, non-controlling ownership interest in a non-South African foreign chartered financial institution whose business activities, as defined in Section 10.212(A)(1), comprise less than five percent of the total value of the foreign chartered institution's annual banking transactions.

B. Applicability. Section 10.212 is not intended to, and shall not, apply to activities of the Purchaser.

C. ((Affidavit)) Declaration Required; Effect of Noncompliance.

1. Before any City funds are deposited or invested with any person, entity or financial institution, the Treasurer shall obtain from each such person, entity or financial institution, a((n)) ((affidavit)) declaration under penalty of perjury from a person authorized to present such documents, on a form prescribed by the Treasurer, certifying that it does not have any outstanding relationships of the type listed in Section 10.212(A)(1) ((or stating that the policy of the person, entity or financial institution is not to enter into a business relationship with, or make any loans to, entities of, or entities doing business in, South Africa, except as permitted in Subsection 10.212(A)(2) or until the system of apartheid is no longer law in South Africa)). The ((affidavit)) declaration shall further state that the person or entity or financial institution will promptly notify the Treasurer in writing, if it subsequently enters into any transaction described in Section 10.212(A)(1) ((or if its practice against entering into such transaction changes)).

2. If the Treasurer determines that City funds have been deposited or invested with a person, entity or financial institution which subsequently comes into noncompliance with this ordinance, the Treasurer shall effect the withdrawal or divestment of those funds within six (6) months after the date of determination of noncompliance or, as provided in Section 10.212(D)(1), upon the earliest possible maturity date.

D. Nonapplicability; Treasurer's Findings; Alternate Selection.

1. Section 10.212(((A)(1))) shall not apply to City funds invested under a pre-existing trust indenture or investment

agreement or otherwise invented by the City under a pre-existing contractual obligation, provided that such funds, if deposited or invested with a person, entity or financial institution which has not or is unable to file a((n)) ((affidavit)) declaration required under Section 10.212(C)(1), shall be withdrawn or divested at the earliest possible maturity date.

2. The provisions of Section 10.212(((A)(1)(b), and (c))) shall not apply where the Treasurer finds that:

(a) no person, entity or financial institution doing business in the City and County which has filed a((n)) ((affidavit)) declaration is capable of performing the desired function(s); or

(b) the City will incur a financial loss which in the opinion of the Treasurer would violate his or her fiduciary duties.

SEC. 10.213. CONTRACTUAL SERVICES, REAL AND PERSONAL PROPERTY AGREEMENTS.

A. Prohibited Transactions. The City and County shall not enter into, ((or)) amend, modify or renew any ((contractual)) agreement for ((the provision of)) contractual services or any lease, permit, license or other agreement for the use or sale of the City's real or personal property, with any person, entity or financial institution having a prohibited ownership interest or which provides goods or services to:

(1) the government of South Africa;

(2) any business or entity organized under the laws of South Africa; or

(3) any business entity for the express purpose of assisting that business' operations in, or that business' trading

with, any public or private entity located in South Africa. In determining whether contractual services are provided to a business entity for the express purpose of assisting that business' trading with any public or private entity located in South Africa, the person or entity providing such services will not be required to make inquiry beyond that made in the normal course of that person's or entity's business.

B. ((Reserved.)) Contract Condition. Each contract for services or for the use or sale of the City real or personal property shall include as a material condition to that agreement the following paragraph in the contract:

> Contractor is not the government of South Africa, a person or business entity organized under the laws of South Africa or a person or entity doing business in South Africa. Contractor does not have a prohibited ownership interest as defined in Section 10.211(k) of Chapter 10, Article XIX of the San Francisco Administrative Code. The City reserves the right to terminate this contract for default if the contractor violates the terms of this clause.

C. For purposes of this section, a person, entity or financial institution will not be deemed to engage in an activity prohibited under Subsection "A" above so long as such person, entity or financial institution is only performing contractual services necessary to complete a specific project in South Africa initiated prior to ((the effective date of this Article)) March 9, 1986 so long as the scope of the project is not enlarged and modification of an existing contract only is involved and providing that the term, or remaining term of the contract is not greater than five years from ((the effective date of this Article)) March 9, 1986.

D. ((Affidavit)) Declaration Required.

1. Prior to entering into a lease, permit, license or other agreement for the use or sale of the City's real or personal

property or contracting with any person, entity or financial institution for the provision of contractual services not subject to competitive and sealed bid, the contracting officer shall obtain a((n)) ((affidavit)) declaration under penalty of perjury from a person authorized to issue such documents, on a form prescribed by the Purchaser, certifying that it does not have any outstanding relationships of the type listed in Section 10.213(A) ((or stating that the practice of the person, entity or financial institution is to not enter into any contractual relations with entities of, or doing business in, South Africa, until the system of apartheid is no longer law in South Africa)). The ((affidavit)) declaration shall further require that person, entity or financial institution to promptly notify the City in writing, if it subsequently enters into any contractual agreement with the entities listed in Section 10.213(A) ((or if its practice of foregoing such contractual relations changes)).

2. In the case of contracts subject to competitive and sealed bids, except as prohibited by state or federal law or regulation, all contracting departments, boards and commissions of the City and County shall require as a material part of any bid a((n)) ((affidavit)) declaration as described in Section 10.213(D)(1). Subject to the provisions below, failure to include the ((affidavit)) declaration in any bid shall make such bid a nonresponsive bid. In the event that fewer than two bidders return bids with the required ((affidavit)) declaration, the contracting department, board or commission may rebid the contract and waive the requirements of Section 10.213.

E. Nonapplicability; Findings; Alternate Selection.

1. Section 10.213(((A))) shall not apply to bid packages advertised and made available to the public or any competitive and

SEP 21 1990

sealed bids received by the City or to contracts for contractual services entered into prior to ((the effective date of this Article)) March 9, 1986.

2. The provisions of Section 10.213(((A)(2) and (3))) shall not apply to contracts for an aggregate value of five-thousand dollars or less; to leases, permits, licenses or other agreements for the use of the City's real or personal property entered into prior to the effective date of this amendment or having a monthly rental payment of one-hundred dollars or less or having a duration of thirty (30) days or less in any calendar year, whether by single or cumulative instrument; to any transaction allowing access to or use of City real property upon purchase of an admission ticket; to permits for the use of City streets for temporary periods of construction of improvements on abutting private real property; to leases, permits, licenses or other agreements that renew existing easements or rights of way over real property owned by the City between the City and a party holding the easement or right of way as of the date of enactment of this amendment, provided that the agreements do not permit the building of new facilities on city land or a change in the character of its use; or to financial institutions having an ownership interest as set forth in Section 10.212(A)(2)(e).

3. Section 10.213(((A)(2) and (3))) shall not apply to any amendment, modification or renewal of a contract ((which contract was)) entered into prior to ((the effective date of this Article)) March 9, 1986 and any amendment thereto where necessary for the timely completion of a project and not involving an increase in the total monies to be paid by the City and County under that contract.

4. The provisions of Section 10.213(((A)(2) and (3))) shall not apply where the contracting officer finds that:

///

(a) no person, entity or financial institution doing business in the City and County which has filed a((n)) ((affidavit)) declaration under Section 10.213(D) is capable of performing the desired function(s); or

(b) the City will incur a financial loss which in the opinion of the contracting officer would violate his or her fiduciary duties; or

(c) the inclusion or application of such provisions will violate or be inconsistent with the terms or conditions of a grant, subvention or contract with an agency of the State of California or the United States or the instructions of an authorized representative of any such agency with respect to any such grant, subvention or contract.

(d) the inclusion or application of such provisions will violate or be inconsistent with the laws, rules or regulations of the State of California or the United States of America.

SEC. 10.214. PURCHASE OF COMMODITIES.

A. Prohibited Transactions.

1. The City and County shall not purchase any commodity from the government of South Africa, a business entity organized under the laws of South Africa, or any person or entity doing business in South Africa or any person or entity having a prohibited ownership interest.

2. The City and County shall not purchase any commodity made in South Africa. A commodity shall be considered made in South Africa if it is manufactured, produced or grown in South Africa, or if further work or material manufactured, produced

or grown in South Africa is added to a commodity which effects a substantial transformation of that commodity. Interpretation of this section shall be consistent with statutes and regulations of the United States regarding markings of commodities by country of origin pursuant to 19 CFR 134.

For purposes of this section, a person or entity will be deemed to be doing business in South Africa if the person or entity provides commodities or services to:

(1) the government of South Africa;

(2) any business or entity organized under the laws of South Africa; or

(3) any business entity for the express purposes of assisting that business' operations in, or that business' trading with, any public or private entity located in South Africa. In determining whether contractual services are provided to a business entity for the express purpose of assisting that business' trading with any public or private entity located in South Africa, the person or entity providing such services will not be required to make inquiry beyond that made in the normal course of that person's or entity's business.

Performing contractual services necessary to complete a specific project in South Africa initiated prior to March 9, 1986 shall not be deemed doing business in South Africa, so long as the scope of the project is not enlarged and modification of any existing contract only is involved and providing that the term, or remaining term of the contract is not greater than five years from March 9, 1986.

B. Contract Condition. Each contract for the supply of a commodity to the City and County shall include as a material condition to that agreement the following paragraph in the contract:

Seller is not the government of South Africa, person or business entity organized under the laws of South Africa, or a person or entity doing business in South Africa. Seller does not have a prohibited ownership interest as defined in Section 10.211(k) of Chapter 10, Article XIX of the San Francisco Administrative Code. The item(s) sold in this contract (purchase order) to the City and County of San Francisco is (are) not made in South Africa as defined in section 10.214(A) of the San Francisco Administrative Code. The City and County reserves the right to terminate this contract for default if the contractor furnishes items made in South Africa.

C. Reserved.

D. Declaration Required. Prior to entering into a contract for the purchase of a commodity, the contracting officer shall obtain a declaration under penalty of perjury from a person authorized to issue such documents, on a form prescribed by the Purchaser, certifying that the Contractor does not have any relationships of the type listed in Section 10.214(A)(1) and that the commodity being purchased does not have the origins or attributes listed in Section 10.214(A)(2).

((C)) E. Exceptions. This Section 10.214 shall not apply to:

1. any binding contractual obligation for purchase of commodities entered into prior to ((the effective date of this Article)) March 9, 1986; or

2. the purchase of any commodity for which South Africa is the only source; or is made outside South Africa but for which the only source is an entity organized under the laws of or doing business in South Africa; or

3. any contract for the purchase of commodities of an aggregate value of less than five-thousand dollars; or

4. where the contracting officer finds that no person or entity doing business in the City and County and able to subscribe to the contract provision required under Section 10.214(B) is capable of providing the desired commodity; or

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5. any contract, purchase order or term purchase agreement wherein the City will incur a financial loss which in the opinion of the contracting officer would violate his or her fiduciary duties; or

6. where the inclusion or application of such provisions will violate or be inconsistent with the terms or conditions of a grant, subvention or contract with an agency of the State of California or the United States or the instructions of an authorized representative of any such agency with respect to any such grant, subvention or contract.

SEC. 10.215. RULES AND REGULATIONS.

A. The Treasurer, ((or)) Purchaser or department head of a department, board or commission authorized to sell or lease city-owned property, whichever is appropriate, shall promulgate any rules and regulations necessary or appropriate to carry out the purposes and requirements of this ordinance. Each department, board and commission of the City and County shall cooperate with, and provide in writing to, the Treasurer or Purchaser, whichever is appropriate, all information necessary for the Treasurer or Purchaser to promulgate such rules and regulations.

B. All contracts and other similar written agreements shall incorporate this Article by reference whenever applicable and shall provide that the failure of any bidder or contractor to comply with any of its requirements shall be deemed a material breach of contract((;)).

C. Whenever a contracting officer is required to obtain a declaration from a vendor pursuant to this Article, such declaration shall contain the following statement:

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The undersigned further declares that neither it nor any parent or subsidiary provides commodities to any entity that directly or indirectly (through one or more intermediaries) resells, distributes or otherwise provides such commodities in South Africa, with or without the logo of the provider.

SEC. 10.216. PUBLIC RECORDS. All ((affidavits)) declarations and reports prepared pursuant to the requirements of this ordinance shall be made available for public inspection except those prepared for purposes of litigation.

SEC. 10.217 PENALTY.

A. Whenever a person, entity or financial institution being considered for a contract or under contract with the City and County submits a((n)) ((affidavit)) declaration found by the City and County after an investigation by the contracting officer and the City Attorney to be false, the City and County shall have the authority to impose such sanctions or take such other actions as are designed to ensure compliance with the provisions of this Article which shall include, but are not limited to:

(1) refusal to certify the award of a contract;

(2) order the suspension of a contract;

(3) order the withholding of funds;

(4) order the revision of a contract based upon a material breach of contract provisions pertaining to statements made under the ((affidavit)) declaration; or

(5) disqualification of a bidder or contractor from eligibility for providing commodities or services to the City and County for a period not to exceed five years, with a right to review and reconsideration by the contracting City office or department after

two years upon a showing of corrective action indicating violations are not likely to reoccur.

B. All contracts shall provide that in the event any bidder or contractor fails to comply in good faith with any of the provisions of this Article the bidder or contractor shall be liable for liquidated damages for each violation in an amount equal to the bidder's or contractor's net profit of the contract, or ten percent (10%) of the total amount of the contract or one thousand dollars ($1,000) whichever is greatest. All contracts shall also contain a provision whereby the bidder or contractor acknowledges and agrees that the liquidated damages assessed shall be payable to the City and County upon demand and may be set off against any monies due to the bidder or contractor from any contract with the City and County of San Francisco.

SEC.10.218. ((Reserved)) Withdrawal Plans. A declaration may also be submitted by an entity that has commenced a disinvestment plan which shall be completed not later than March 9, 1991, in which the resulting entity, dealership, licensee or other business arrangement will have South Africans economically and politically disadvantaged by apartheid holding not less than fifty percentum (50%) of the ownership interest and management positions of the resulting entity, dealership, licensee or other business arrangement. The resulting entity shall have the freedom to establish its own prices, terms and conditions of operation, and otherwise operate as an independent entity.

Any entity submitting an affidavit pursuant to a withdrawal plan shall submit in writing an annual report evidencing compliance under this section.

SEC. 10.219. IMPLEMENTATION REPORTS. The Treasurer, ((and the)) Purchaser and all department heads for departments, boards or

commissions authorized to sell or lease city-owned property shall provide written reports on the implementation of this ordinance to the Board of Supervisors as follows:

1. at the first Board of Supervisors meeting held nine (9) months after this Article has taken effect; .

2. at the first Board of Supervisors meeting held one (1) year after this Article has been in effect; and

3. semi-annually thereafter.

Each department, board and commission of the City and County shall ((cooperate with, and)) provide in writing ((to, the Treasurer or Purchaser, whichever is appropriate,)) all information necessary ((for the Treasurer or Purchaser)) to prepare such reports.

SEC. 10.220. SEVERABILITY. If any section, subsection, clause, phrase or portion of this Article is for any reason held invalid or unconstitutional by any court or federal or state agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: _____
Deputy City Attorney

BOARD OF SUPERVISORS
SEP 3 1 1990

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
August 20, 1990	§	August 27, 1990
	§	
	§	
Ayes: Supervisors Alioto Britt Hallinan Kennedy Maher Nelder Walker Ward	§	Ayes: Supervisors Alioto Gonzalez Hallinan Hsieh Kennedy Maher Nelder Walker Ward
	§	
Absent: Supervisors Gonzalez Hsieh Hongisto	§	Absent: Supervisors Britt Hongisto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

AUG 29 1990

Date Approved

Clerk

Mayor

File No.
97-90-6

SEVERED FROM FILE 101-89-149 in COMMITTEE 8/15/90

FILE NO. 101-89-149.2

ORDINANCE NO. 315-90

RO#90065 SA# 16

(GOVERNMENT FUNDING)

8/15/90 APPROPRIATING $75,000 FOR CAPITAL IMPROVEMENT PROJECT DESIGN COSTS (EMERGENCY OPERATIONS CENTER) FIRE DEPARTMENT FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
05-606	Bond Fund Group		
31-03-00	1986 Fire Protection Bonds		
Project 612-01	Emergency Operations Center		
54-5401 (049684)	Interest Earned - Pooled Cash	$ 75,000	
20-2030 (530105)	Capital Improvement Project Design Costs		75,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Samuel S. Yockey Jr.
CONTROLLER

249-SPGEN-15

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
August 20, 1990	August 27, 1990
Ayes: Supervisors Alioto Britt Hallinan Kennedy Maher Nelder Walker	Ayes: Supervisors Alioto Gonzalez Hallinan Hsieh Kennedy Maher Nelder Walker Ward
Absent: Supervisors Gonzalez Hsieh Hongisto Ward	Absent: Supervisors Britt Hongisto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

AUG 29 1990

John Taylor
Clerk

File No.
101-89-149.2

Date Approved

Mayor

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AS AMENDED IN COMMITTEE 8/15/90

FILE NO. 102-90-3
PUBLIC EMPLOYMENT

ORDINANCE NO 316-90
SAL.ORD.AMEND.NO. 1

AMENDING ORDINANCE NO. ~~1~~ 288-90 (~~INTERIM~~ ANNUAL SALARY ORDINANCE, 1990-91) REFLECTING THE ADDITION OF ONE POSITION IN THE JUVENILE PROBATION DEPARTMENT.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated items and section of Ordinance No. ~~257-90~~ 288-90 (~~Interim~~ Annual Salary Ordinance, 1990/91) are hereby amended so that the same shall read as follows.

(Amendment)	No. Pos.	Class & Item No.	Class & Title	Compensation Schedule
		Dept. 12	Juvenile Probation Department	
		Division: 01	Probation	
		Section: 00	Probation	
		Program: 7103	Administration-Juvenile Court	
		Fund: 01001	General Fund	
		Index: 319574	Juvenile Court-Admin.-G/F	
		Proj/Phase: 000/00	Unassigned Title	
		Object: 0030	Permanent Salaries-Craft	
1 added	1	7334 N	Stationary Engineer.....	SC...$1329B1611

APPROVE AS TO CLASSIFICATION
CIVIL SERVICE COMMISSION

John J. Walsh
GENERAL MANAGER, PERSONNEL

APPROVE AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: [signature]
DEPUTY CITY ATTORNEY

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
August 20, 1990	August 27, 1990
Ayes: Supervisors Alioto Britt Hallinan Kennedy Maher Nelder Walker	Ayes: Supervisors Alioto Gonzalez Hallinan Hsieh Kennedy Maher Nelder Walker Ward
Absent: Supervisors Gonzalez Hsieh Hongisto Ward	Absent: Supervisors Britt Hongisto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
102-90-3

AUG 30 1990
AUG 29 1990
Date Approved

[signature]
Mayor

DOCUMENTS
SEP 18 1990
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FILE NO. 45-90-39 ORDINANCE NO. 317-90

[SETTLEMENT OF LAWSUIT] RO #90028

AUTHORIZING SETTLEMENT OF LITIGATION OF KEITH WEINER AND MICHELLE TAN AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $6.000.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "Keith Weiner and Michelle Tan v. City and County of San Francisco, et al.," Superior Court No. 912-594, by the payment of $6,000.

APRROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY

RECOMMENDED:

OFFICE OF THE DISTRICT ATTORNEY

ARLO SMITH

FUNDS AVAILABLE:

CONTROLLER

01 601 97 09 04
309732 1450 $6,000.00

JUL 18 1990

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
August 27, 1990	September 4, 1990
Ayes: Supervisors Gonzalez Hallinan Hsieh Kennedy Nelder Walker	Ayes: Supervisors Alioto Britt Hallinan Hsieh Kennedy Maher Nelder
Absent: Supervisors Alioto Britt Hongisto Maher Ward	Absent: Supervisors Gonzalez Walker Hongisto Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
45-90-39

SEP 10 1990
Date Approved

Mayor

SEP 21 1990

FILE NO. 45-90-42

ORDINANCE NO. 318-90

RO #90029

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF ALLSTATE INSURANCE COMPANY AGAINST THE CITY AND COUNTY OF SAN FRANCISCO and JERRY SARIN Municipal Court No. 036-285 for Eleven Thousand Nine Hundred and Seventy-Eight Dollars and Twenty Cents ($11,978.20).

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "ALLSTATE INSURANCE COMPANY v. CITY AND COUNTY OF SAN FRANCISCO AND JERRY SARIN et al., Municipal Court No. 036-285 by the payment of Eleven Thousand Nine Hundred and Seventy-Eight Dollars and Twenty Cents ($11,978.20).

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

FRANK JORDAN
Chief of Police

FUNDS AVAILABLE:

CONTROLLER

01 001 97 09 38 309781 1450
23318/24 $11,978.20

JUL 18 1990

APPROVED:

POLICE COMMISSION

SECRETARY

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
August 27, 1990	September 4, 1990
Ayes: Supervisors Gonzalez Hallinan Hsieh Kennedy Nelder Walker	Ayes: Supervisors Alioto Britt Hallinan Hsieh Kennedy Maher Nelder
Absent: Supervisors Alioto Britt Hongisto Maher Ward	Absent: Supervisors Gonzalez Walker Hongisto Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
45-90-42

SEP 10 1990
Date Approved

Mayor

SEP 21 1990

FILE NO. 45-90-43 ORDINANCE NO. 319-90

RO #90033

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF SCHURICHT AGAINST THE CITY AND COUNTY OF SAN FRANCISCO.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "SCHURICHT AGAINST THE CITY AND COUNTY OF SAN FRANCISCO. (Superior Court No. 891-732), by the payment of Twenty Thousand Dollars ($20,000.00).

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

for RICHARD J. EVANS
Director

FUNDS AVAILABLE:

SAMUEL D. YOCKEY
Controller

01 001 97 09 90
309674 1450 $20,000.00

JUL 25 1990

APPROVED:

RUDOLF NOTHENBERG
Chief Administrative Officer

Page 1 of 1
74710

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
August 27, 1990	September 4, 1990
Ayes: Supervisors Gonzalez Hallinan Hsieh Kennedy Nelder Walker	Ayes: Supervisors Alioto Britt Hallinan Hsieh Kennedy Maher Nelder
Absent: Supervisors Alioto Britt Hongisto Maher Ward	Absent: Supervisors Gonzalez Walker Hongisto Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-90-43

SEP 10 1990
Date Approved

Mayor

SEP 21 1990
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FILE NO. 45-90-44 ORDINANCE NO. 320-90

RO #90034

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF MARIE ANTUNEZ AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $30,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "MARIE ANTUNEZ v. CITY AND COUNTY OF SAN FRANCISCO, et al," Superior Court No. 910-293, by the payment of $30,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

MARY E. BURNS
General Manager

FUNDS AVAILABLE:

SAMUEL YOCKEY
Controller

01 001 97 09 42
620245 1450 $30,000.00

AUG 01 1990

APPROVED:

RECREATION AND PARK COMMISSION

SECRETARY

1862N

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
August 27, 1990	§	September 4, 1990
Ayes: Supervisors Gonzalez Hallinan Hsieh Kennedy Nelder Walker	§	Ayes: Supervisors Alioto Britt Hallinan Hsieh Kennedy Maher Nelder
Absent: Supervisors Alioto Britt Hongisto Maher Ward	§	Absent: Supervisors Gonzalez Walker Hongisto Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-90-44

SEP 10 1990
Date Approved

Mayor

SEP 21 1990

FILE NO. 114-90-6. ORDINANCE NO. 321-90

E R R A T A

Correct Ordinance No. 321-90 as follows:

Page 2, Line 19, after "$25,000.00" delete ".".

Page 3, Line 21, delete "FEE" and insert "SCHEDULE".

Page 4, Line 8, after "$2.25 per" insert "each";

Page 4, Line 12, after "$2.75 per" insert "each";

Page 4, Line 16, after "$3.25 per" insert "each";

Page 4, Line 22, after "$2.75 per" insert "each".

Page 6, Line 6, after "Hotels and Motels" delete "." and substitute ",".

Page 8, Line 10, after "if the same work" delete "was" and substitute "were".

Page 14, Line 16, correct "FT. NOTIFICATION LETTERS AT FILING" to read "ft. notification letters at filing";

Page 14, Line 17, correct "RESIDENTAL TENANT NOTIFICATION" to read "Residental tenants notification";

Page 14, Line 18, correct "FT. NOTIFICATION LETTERS AT ISSUANCE" to read "ft. notification letters at issuance";

Page 14, Line 19, correct "AFFIDAVIT RECORD MAINTENANCE" to read "Affidavit record maintenance".

Page 16, Line 3, after "2 hour minimum" delete ".";

Page 16, Line 5, after "STANDARD INSPECTION FEE" delete ".";

Page 16, Line 26, correct "Hotels" to read "Hotel";

Page 18, Line 10, after "permit fee" delete ".".

Page 20, Line 23, correct "Hearing to Exceed" to read "hearing to exceed".

Page 21, Line 5, after "Hearing Officer" delete ".";

Page 21, Line 8, after "on such request" delete ".";

Mary Anne Bulen
Mary Anne Bulen
Acting Clerk of the Board
May 14, 1991

DOCUMENTS DEPT.
MAY 2 2 1991
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 114-90-6 ORDINANCE NO. 321-90

[BBI FEE SCHEDULE]

AMENDING PART II, CHAPTER I OF THE SAN FRANCISCO MUNICIPAL CODE (BUILDING CODE) BY AMENDING SECTIONS 323, 330.1, 330.3, 331, 332, 332.1, 332.2, 332.3, 332.4, 332.5, 333.1, 333.2, AND 333.3 TO INCREASE CERTAIN BUILDING INSPECTION FEES, AND TO MODIFY THE AMOUNT OF THE INVESTIGATION FEE IMPOSED FOR PERFORMING WORK WITHOUT A PERMIT.

NOTE: Additions or substitutions are underlined; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter I, of the San Francisco Municipal Code (Building Code) is hereby amended by amending Sections 323, 330.1, 330.3, 331, 332, 332.1, 332.2, 332.3, 332.4, 332.5, 333.1, 333.2 and 333.3 thereof to read as follows:

Fees for Reproduction of Reports, Records, and Documents for the Public

Sec. 323(a). General. In order to provide for the cost of reproducing inspection reports, records, documents, and other material in the Bureau of Building Inspection files for the public, including but not limited to, records on microfilm, a ((reproduction)) fee shall be required payable in advance. Fees shall be chargeable to all persons, as well as City departments; when such reproduction is in response to subpoenas of records, the attorney requesting such records shall pay the fees. All fees collected shall be deposited into the Building Inspection Fund.

(b) Reproduction Fees. The fees shall be determined based upon the number of pages, type of record, size of microfilm reproduced and the number of copies required. All costs of reproduction shall require the pickup of said reproduced material at the office of the Bureau of Building Inspection unless

costs of delivery are provided. The Director may make any other rules or regulations necessary to provide for the reproduction of material consistent with the intent of this Section. See Section 332 - Electrostatic Reproduction - for applicable fees.

Building Permit Fees

Sec. 330.1.

NEW CONSTRUCTION PERMIT FEE SCHEDULE

Total Valuation	Fee
$1.00 to $500.00.....	((($16.25)) $17.00
$501.00 to $2,000.00.....	((($16.25)) $17.00 for the first $500.00 plus ((($2.25)) $2.50 for each additional $100.00 or fraction thereof, to and including $2,000.00
$2,001.00 to $25,000.00.....	((($48.00)) $54.50 for the first $2,000.00 plus ((($9.75)) $10.25 for each additional $1,000.00 or fraction thereof, to and including $25,000.00
$25,001.00 to $50,000.00.....	((($271.00)) $290.25 for the first $25,000.00 plus ((($7.00)) $7.25 for each additional $1,000.00 or fraction thereof, to and including $50,000.00
$50,001.00 to $100,000.00.....	((($446.00)) $471.50 for the first $50,000.00 plus ((($4.75)) $5.00 for each additional $1,000.00 or fraction thereof, to and including $100,000.00

$100,001.00 to $500,000.00.....	((($687.00)) $721.50 for the first $100,000.00 plus ((($3.75)) $4.00 for each additional $1,000.00 or fraction thereof to and including $500,000.00
$500,001.00 to $1,000,000.00.....	((($2,192.00)) $2,321.50 for the first $500,000.00 plus ((($3.25)) $3.50 for each additional $1,000.00 or fraction thereof, to and including $1,000,000.00
$1,000,001.00 and up.....	((($3,805.00)) $4,071.50 for the first $1,000,000.00 plus ((($2.25)) $2.50 for each additional $1,000.00 or fraction thereof.

ALTERATION PERMIT FEE SCHEDULE

Total Valuation	Fee
$0 to $100,000.....	1.3 times NEW CONSTRUCTION PERMIT SCHEDULE
$100,001 and up.....	((($894.00)) $938.00 plus 1.25 times the NEW CONSTRUCTION PERMIT FEE for values greater than $100,000

SIGN PERMIT FEE SCHEDULE

MINIMUM SIGN PERMIT FEE..... ((($17.75)) $18.75

Type of Sign	Area Limits	Fee
Electric and Non-electric	Up to 50 sq. ft.....	((($17.75)) $18.75
	51 to 100 sq. ft.....	((($17.75)) $18.75 plus ((($2.00)) $ 2.25 per each additional 10 square feet or fraction thereof over 50 sq. ft.
	101 to 200 sq. ft.....	((($28.00)) $30.00 plus ((($2.50)) $ 2.75 per each additional 20 square feet or fraction thereof over 100 square feet
	201 to 400 sq. ft.....	((($41.00)) $43.75 plus ((($ 3.00)) $ 3.25 per each additional 50 square feet or fraction thereof over 200 square feet
	Over 400 sq. ft.....	((($54.00)) $56.75
Ground Sign	Up to 100 sq. ft.....	((($17.75)) $18.75
	101 to 600 sq. ft.....	((($17.75)) $18.75 plus ((($ 2.50)) $ 2.75 per each additional 20 square feet or fraction thereof over 100 square feet
	Over 600 sq. ft.....	((($82.00)) $87.50

Standardized Signs: 50% of the applicable fee above, but not less than the minimum fee.

BLEACHERS PERMIT FEE SCHEDULE

Permanent Bleachers: see NEW CONSTRUCTION FEE SCHEDULE

Temporary Bleachers: 0 - 1,000 seats or fraction thereof: ((($17.25)) $18.00
each additional 1,000 seats or fraction thereof: ((($8.50)) $9.00

CHIMNEY AND FLUE PERMITS

Each chimney or flue: ((($11.75)) $12.50

DEMOLITION PERMIT FEE SCHEDULE

Construction Type II-1 Hr., II-N, or V: ((($23.50)) $24.75 per 25 foot section or fraction thereof, per each story

All other Construction Types: ((($35.50)) $37.25 per 25 foot section or fraction thereof, per each story

If no frontage or more than 1, use shortest side of building for determination.

EXTRA PERMIT WORK:

2 times the standard fees for work remaining to be done or not covered in original permit scope

GARAGE DOOR PERMITS:

Each garage door in an existing building: ((($8.50)) $9.00

GRADING PERMITS

See New Construction Permit Schedule

HOUSE MOVING INVESTIGATION AND PERMIT FEE

Investigation: ((($45.00)) $47.25 Permit: ((($52.00)) $54.50

RECOMMENCEMENT OF WORK NOT COMPLETED:

STANDARD INSPECTION FEE per Section 332.2.

See also Section 331 - COMMENCEMENT OF WORK NOT STARTED.

RECORDATION CHARGES:

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Hotels and Motels, all buildings greater than 3 stories, all occupancies other than Group R: 0.00018 times the valuation

Minimum Fee: ((($1.00)) $1.25

RE-ROOFING PERMITS:((($54.00)) $56.75

STRONG MOTION INSTRUMENTATION FEE:

Group R Occupancies of 3 stories or less, except hotels and motels: 0.0001 times the valuation

SUB-SIDEWALK CONSTRUCTION AND USE PERMIT FEE

Construction: See New Construction Permit Fee Schedule

Use Permit, each separate street frontage:((($21.50)) $22.50

Street Space Deposit:((($32.50)) $34.25 per frontage foot

Electrical Permit Fee Schedule.

Sec. 330.2

SCHEDULE A

NEW BUILDING: or Major Remodel (Requiring New Main Service)

Filing Fee..... ((($22.00)) $22.50

Service Fees: 0 - 100 amps..... ((($54.00)) $56.75

@ additional amp over 100 amps..... ((($ 0.10)) $ 0.10

Circuit Fees: 0 - 30 amp circuits

● circuit up to & including 50 ((($11.00)) $11.50

● circuit over 50..... ((($ 5.50)) $ 5.75

31- 60 amp circuits, ● circuit..... ((($13.00)) $13.75

61-100 amp circuits, ● circuit..... ((($17.00)) $18.00

greater than 100 amp circuits..... ((($17.00)) $18.00

● circuit, plus((($4.25)) $4.50 ● 100 additional

100 amps per circuit

Temporary Wiring: one-half the above

EXISTING BUILDING: (Not Requiring New Main Service)

Miscellaneous remodeling, alterations, etc. - Fees will be based on the number of openings* within the ranges listed in the table below:

Filing Fee..... ((($21.50)) $ 22.50

Fee Per Number of Openings:

1 - 5.....((($18.75)) $ 19.75

6 - 10.....((($37.50)) $ 39.50

11 - 15.....((($47.00)) $ 49.50

16 - 20.....((($66.00)) $ 69.25

21 - 25.....((($75.00)) $ 78.75

26 - 30.....((($85.00)) $ 89.25

31 - 35.....((($94.00)) $ 98.75

36 - 40.....((($103.00)) $108.25

41 - 45.....((($113.00)) $118.75

46 - 50.....((($122.00)) $128.00

51 - 60.....((($132.00)) $138.00

61 - 70.....((($141.00)) $148.00

71 - 80.....((($151.00)) $158.50

81 - 90.....((($160.00)) $168.00

91 - 100.....((($169.00)) $177.50

● opening greater than 100.....((($ 1.00)) $ 1.25

* NOTE: Openings include: switches, convenience receptacles, lighting fixtures, fixed appliances, motors, transformers, fire warning and detector devices. Multi-outlet assemblies including light track shall be calculated at one opening per 5 feet of assembly.

In no case shall the total fees for work performed under the Existing Building Fee Schedule exceed the fees if the same work were performed under the New Building Fee Schedule.

No fees shall be charged for existing circuits reconnected on rewire or additions unless such circuit is altered or extended.

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SCHEDULE B

(1) Filing Fee (in addition to unit charges 1 thru 22) ((($21.50)) $22.50

(2) Minimum Fee of any bill of fees, including temporary work..... ((($21.50)) $22.50

(3) For each outlet, switch, convenience outlet receptacle..... ((($ 0.75)) $ 0.80

(4) For each service not over 100 amperes, by switch size..... ((($10.75)) $11.25

For each service over 100 amperes, for each additional ampere..... ((($ 0.05)) $ 0.05

(5) For each circuit..... ((($ 1.50)) $ 1.75

(6) For each transformer dimmer, each 1 KVA or fraction thereof..... ((($ 0.75)) $ 0.80

(7) For the connection of each motor (including control equipment), generator or other motor-operated equipment; rate per horsepower or fraction thereof, including temporary work:

0 - 10 hp..... ((($ 1.50)) $ 1.75

11 - 50 hp..... ((($ 1.75)) $ 2.00

51 - 100 hp..... ((($ 2.00)) $ 2.25

For ● additional hp over 100 hp((($ 2.25)) $ 2.50

(8) For the connection of an electric appliance including range, oven, hot plate, dryer, and similar equipment per kilowatt or fraction thereof rated values.....((($ 1.50)) $ 1.75

Minimum fee for the provision of a range outlet whether connected to or not shall be..... ((($16.00)) $16.75

Minimum fee for the provision of a dryer outlet... ((($10.75)) $11.25

For each connection of fixed electrical air heating devices per kilowatt or fraction thereof..... ((($ 0.75)) $ 0.80

(9) For each cold cathode or fluorescent lighting fixture complete with lamps..... ((($ 1.00)) $ 1.25

(10) For each mercury vapor and similar lighting fixture complete with one lamp..... ((($ 3.25)) $ 3.50

(11) For each incandescent lighting fixture complete... ((($ 1.00)) $ 1.25

(Track lighting systems complete with fixtures shall be considered as one lighting fixture for every 5 linear feet of track.)

(12) Activated electrical trench headers duct and electrical floor ducts, per opening..... ((($ 0.45)) $ 0.45

(13) Feeders, up to and including 100 amperes based on switch size..... ((($10.75)) $11.25

(14) Feeders, per ampere over 100 amperes..... ((($ 0.05)) $ 0.05

(15) Underground installation..... ((($27.00)) $28.50

(16) Fire alarms, pull station including outlet and testing..... ((($ 4.25)) $ 4.50

(17) Fire alarms, visual and audio devices including outlet..... ((($ 1.50)) $ 1.75

(18) Fire alarm and detector control panels and annunciators..... ((($ 5.50)) $ 5.75

(19) Fire sprinkler flow alarms..... ((($ 6.00)) $ 6.50

(20) Product of combustion detectors per unit including outlet..... ((($ 1.50)) $ 1.75

(21) Electromagnetic hold open ..... ((($ 1.50)) $ 1.75

(22) Low Energy Circuit.

For each low energy device, including audio, visual, signal, annunciation, switching and electromechanical, exception, as provided in items 18 through 21..... ((($ 0.55)) $ 0.60

For each transformer for such systems, each KVA or fraction thereof..... ((($ 0.95)) $ 1.00

Where such systems are installed in raceway, the fee for each outlet in addition to the fee for the device shall be..... ((($ 0.55)) $ 0.60

Electric Signs

(23) Exterior Signs, not over 20 incandescent lamps.....Min ((($17.25)) $18.00

Interior Signs.....Min ((($10.75)) $11.25

For each group of 10 lamps or portion thereof in excess of 20..... ((($ 2.25)) $ 2.50

For each interior or exterior sign circuit..... ((($ 2.25)) $ 2.50

For each transformer or ballast in excess of 2.... ((($ 2.25)) $ 2.50

For each sign flasher or sign or outline control device..... ((($ 3.25)) $ 3.50

For the purpose of outlet count a continuous row of fluorescent fixtures fed by a single branch circuit shall be considered as requiring one outlet.

PLANT OWNER REGISTRATION:

each plant registration: ((($108.00)) $113.50

each plant electrician registered: ((($ 5.50)) $ 6.00

plant electrician registration, late charge: ((($ 5.50)) $ 6.00

((Reserved))

((Sec. 330.2.))

Plumbing Permit Fees Schedule

Sec. 330.3.

For Plumbing permit issuance .....((($13.00)) $13.75

For each plumbing fixture & waste discharging device..((11.25)) $11.75

For each sump ejector.....((11.25)) $11.75

For each rainwater leader (all kinds).....((11.25)) $11.75

For gas permit issuance.....((13.00)) $13.75

For each gas line, including 1 outlet per line.....((5.50)) $ 5.75

For each additional gas outlet.....((2.25)) $ 2.50

For each water heater.....((9.75)) $10.25

For each warm air furnace.....((33.50)) $35.25

For each miscellaneous gas appliance.....((9.75)) $10.25

For each gas flue (see Section 330.1 Chimney & Flue Permits).....((12.00)) $12.50

For water line permit issuance, including 1 to 4 outlets per line.....((13.00)) $13.75

For each additional water outlet (over 4).....((2.25)) $ 2.50

For lawn sprinklers:

For each control valve or vacuum breaker.....((8.00)) $ 8.50

For each sprinkler head.....((0.15)) $ 0.15

For solar panels (per each collector).....((6.00)) $ 6.25

For fire sprinkler piping removal or alteration or the replacement of valves, attachments or levers.....((10.25)) $10.75

For underground fire sprinkler piping system:

When permit fee has not been obtained for complete fire sprinkler system.....((33.50)) $35.25

For replacing of fire sprinkler heads (except fused or broken heads):

From 1 to 10 heads.....((10.25)) $10.75

For each additonal head over 10.....((0.25)) $ 0.25

For fire sprinkler piping installation:

From 1 to 10 heads.....((10.25)) $10.75

From 11 to 500 heads:.....((10.25)) $10.75

plus (($0.30)) $0.30 per additional head over 10

For 501 & over heads.....((152.00)) $159.50

plus (($0.15)) $0.15 per additional head over 500

For flushing of fire sprinkler systems subsequent to final inspection (reinspection).....((43.00)) $45.25

The fee for converting a system from upright heads to pendant heads or from pendant heads to upright heads shall be as set forth for a new installation.

For each building, sewer, replacement, repair or sewer trap.....((13.00)) $13.75

For side sewer installation or repair including inspection of connection to main sewer.....((33.50)) $35.25

Minimum fee for all permits.....((13.00)) $13.75

Building Permit Application and Plan Review Fees

Sec. 331.

BACK CHECK FEE:

(($45.00)) $47.25 per hour or fraction thereof

COMMENCEMENT OF WORK NOT STARTED:

Building, Plumbing, or Electrical Permit Fee: 50% of current fee

Plan Review Fee: 50% of current fee, maximum (($108.00)) $113.50

ELECTRICAL PLAN REVIEW:

(($57.00)) $60.00 per hour or fraction thereof

EXPEDITER FEE:

(($20.50)) $21.50

EXPRESS PLAN REVIEW SURCHARGE:

50% of plan review fee

MECHANICAL PLAN REVIEW:

(($57.00)) $60.00 per hour or fraction thereof

PLAN REVIEW FEES for New Construction, Alterations, Grading, and Demolitions:

65% of New Construction Permit Fee Schedule

PLAN REVIEW UNDER PRIOR CODE:(($68.00)) $71.50

PRE-APPLICATION PLAN REVIEW:

Minimum Fee (first 2 hours or fraction thereof):(($108.00)) $113.50

Each participating Bureau employee hour or fraction thereof after the first 2 hours:(($57.00)) $60.00

REDUCED PLAN REVIEW FEE:

25% of the PLAN REVIEW FEE, minimum (($16.25)) $17.00

SIGN PLAN REVIEW:

50% of SIGN PERMIT SCHEDULE

Exceptions/Waivers: no fee for electrical signs less than 10 square feet or non-electrical signs less than 25 square feet.

Approved, standardized signs on file with Superintendent:(($6.50)) $7.00 each

SITE PERMIT SURCHARGE:

Valuation of $350,000.00 or less and only one addendum:.....(($108.00)) $113.50

Valuation of more than $350,000.00 or more than one addendum:.....(($645.00)) $677.50

Public Notification and Record Keeping Fees

Sec. 332.

((DEMOLITION NOTICE/AFFIDAVIT: $126.00

NOTICE OF DEMOLITION PERMIT ISSUANCE BY AREA:

INTERESTED PARTIES

1 Area: $32.50 per annum

Multiple Areas: $97.00 per annum

NOTIFICATION OF PERMIT ISSUANCE FOR EACH ADDRESS: $27.00

NOTIFICATION SIGN: $10.75

300 ft. notification letters at filing: $52.00

Residential tenants notification: $29.00

300 ft. notification letters at issuance: $38.50

Affidavit Record Maintenance: $5.50

POSTING OF 30" BY 30" SIGN: $10.75

POSTING OF NOTICES (CHANGE OF USE):

$19.25 each building to be changed

POSTING OF STRUCTURAL ADDITION: $13.00

POSTING OF SUBSTANTIAL ALTERATION: $5.50))

STRUCTURAL ADDITION NOTICE:	$13.75
AFFIDAVIT RECORD MAINTENCE:	$ 5.75
POSTING OF NOTICES (CHANGE OF USE):	$20.25
REQUESTED NOTICE OF PERMIT ISSUANCE:	$28.50 each address
30" X 30" sign:	$11.25

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DEMOLITION:

NOTICE OF APPLICATION AND PERMIT ISSUANCE BY AREA/INTERESTED PARTIES:

1 Area	$ 34.25 per annum
Multiple areas	$102.25 per annum

NOTICE:

300 ft. notification letters at filing:	$54.50
Residential tenants notification:	$30.50
300 ft. notification letters at issuance:	$40.50

Reproduction and Dissemination of Public Information

Sec. 332.1.

CERTIFICATION OF COPIES:

1-10 pages:(($5.50)) $5.75

each additional 10 pages or fraction thereof:(($1.00)) $1.25

ELECTROSTATIC REPRODUCTION:

Each page photocopy.....(($0.55)) $0.60

Minimum charge - photocopy.....((2.75)) $3.00

35mm duplicards from roll film.....((1.00)) $1.25

Microfilm Hard Copy Prints

8-1/2" x 11" copy from 16mm roll film.....((1.00)) $1.25

24" x 18" copy from 35mm roll film.....((2.00)) $2.25

"Half sized" copy from 35mm roll film.....((1.25)) $1.50

8-1/2" x 11" copy from 16mm frame in aperture card or microfiche jacket.....((.65)) $0.75

Minimum Microfilm Reproduction Charge: ((($2.75)) $3.00

REPLACEMENT OF APPROVED PLANS/SPECIFICATIONS:

each sheet of plans:(($3.25)) $3.50

each 50 pages of specifications or fraction thereof:((5.50)) $5.75

Inspections, Surveys, and Reports

Sec. 332.2.

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OFF-HOURS INSPECTION: 1.5 times STANDARD INSPECTION FEE, 2 hour minimum

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PRE-APPLICATION INSPECTION: TWO TIMES THE STANDARD INSPECTION FEE

RE-INSPECTION FEE: STANDARD INSPECTION FEE.

REPORT OF RESIDENTIAL RECORDS: ((($21.50)) $22.50

STANDARD INSPECTION FEE: ((($54.00)) $56.75 per hour or fraction thereof

SURVEY OF NON-RESIDENTIAL BUILDING:

Minimum fee is 2 times the standard inspection fee for the first hour or fraction thereof per inspector. The standard inspection fee is charged per hour or fraction thereof after the first 2 hours, not to exceed ((($2150.00)) $2,257.50

SURVEY OF RESIDENTIAL BUILDING:

Single Family Dwelling	((($ 323.00)) $ 339.25
Two Family Dwelling	((($ 323.00)) $ 339.25
Apartment Houses	
3 Units	((($ 376.00)) $ 394.75
4 to 10	((($ 376.00)) $ 394.75 plus ((($47.00)) $49.50 per unit over 3
11 to 20 units	((($ 707.00)) $ 742.50 plus ((($35.50)) $37.50 per unit over 10
21 to 40 units	((($1062.00)) $1,115.00 plus ((($23.50)) $24.75 per unit over 20
41 or more units	((($1,535.00)) $1,611.75 plus ((($11.75)) $12.25 per unit over 40

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Hotel	
Incl. 10 guestrooms	((($ 409.00)) $ 429.50
11 to 20 guestrooms	((($ 409.00)) $ 429.50 plus ((($17.25)) $18.00 per guestroom over 10

21 to 40 guestrooms	((($ 581.00)) $ 610.00 plus ((($11.75)) $12.50 per guestroom over 20
41 or more guestrooms	((($ 817.00)) $ 858.00 plus ((($ 5.50)) $ 6.75 per guestroom over 40

TEMPORARY CERTIFICATE OF OCCUPANCY: STANDARD INSPECTION FEE

Penalties, Hearings, Code Enforcement Assessments

Sec.332.3.

ABATEMENT APPEALS BOARD HEARING, FILING FEE: ((($43.00)) $45.25 per case

BOARD OF EXAMINERS FILING FEES:

Each appeal for variance and interpretation from Code Requirements: ((($75.00)) $78.75

Each appeal for approval of substitute materials or methods of construction: ((($188.00)) $197.50

DIRECTOR'S ABATEMENT ORDERS: ((($44.00)) $46.25 per hour or fraction thereof

EMERGENCY ORDER: ((($35.50)) $37.25 per hour or fraction thereof

EXCEEDING THE SCOPE OF THE APPROVED PERMIT:

2 times the permit fee

HANDICAPPED ACCESS APPEALS BOARD FILING FEE: $125.00 per case.

LIEN RECORDATION CHARGES:

((($100.00)) $105.00 or 10 percent of the amount of the unpaid balance, including interest, whichever is greater

WORK WITHOUT PERMIT: INVESTIGATION FEE ; PENALTY:

Building Code Violations:

9 times the applicable fee plus the original permit fee

((Valuation	Penalty
$1 - $10,000	$2,150
$10,001 - $20,000	$4,300
Greater than $20,000	$5,375))

Electrical, ((or)) Plumbing or Mechanical Code Violations:

9 times the applicable fee ((to a maximum of $5,375)) plus the original permit fee

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Refunds

Sec. 332.4. Partial or complete refunds of only those fees contained herein will be given provided the applicant meets the refund requirements of the applicable code section. No other fees are refundable, except as follows:

BUILDING PERMIT: Amount paid less ((($70.00)) $73.50

DEMOLITION PERMIT: Amount paid less ((($54.00)) $56.75

ELECTRICAL PERMIT: Amount paid less ((($54.00)) $56.75

GRADING PERMIT: Amount paid less ((($54.00)) $56.75

PLAN REVIEW: Amount determined by Superintendent less ((($21.50)) $22.50

PLUMBING PERMIT: Amount paid less ((($54.00)) $56.75

If the Superintendent determines that an error has been made in the assessment of fees, a refund for the portion determined to be in error may be made upon written request by the applicant.

Miscellaneous

Sec. 332.5.

BUILDING NUMBERS (each entrance): ((($ 13.00)) $ 13.75

DISABILITY ACCESS COORDINATOR: ((($ 8.00)) $ 8.50

EXTENSION OF TIME: APPLICATION CANCELLATION AND PERMIT EXPIRATION

Each application extension: ((($ 26.00)) $ 27.25

Each permit extension: STANDARD INSPECTION FEE

Each inspection performed during extension period: STANDARD INSPECTION FEE

PRODUCT APPROVALS:

General Approval - initial or reinstatement ((($108.00)) $113.50

General Approval - modification or revision ((($ 37.50)) $ 39.50

General Approval - renewal (every 2 years) ((($ 54.00)) $ 56.75

Apartment House and Hotel License Fee Schedule

Sec. 333.1.

APARTMENT HOUSE LICENSE FEE SCHEDULE:

Apartment Houses of less than 20 rooms, ((($88.00)) $92.50 per annum

Apartment Houses of 20 to 29 rooms, ((($112.00)) $117.50 per annum

Apartment Houses of 30 to 39 rooms, ((($148.00)) $155.50 per annum

Apartment Houses of 40 to 49 rooms, ((($196.00)) $205.75 per annum

Apartment Houses of 50 to 59 rooms, ((($272.00)) $285.50 per annum

Apartment Houses of 60 rooms or over, ((($319.00)) $335.00 per annum

Change of Ownership: ((($27.00)) $28.25

HOTEL LICENSE FEE SCHEDULE:

Hotels of less than 20 rooms, ((($135.00)) $141.75 per annum

Hotels of 20 to 29 rooms, ((($159.00)) $167.00 per annum

Hotels of 30 to 39 rooms, ((($196.00)) $206.00 per annum

Hotels of 40 to 49 rooms, ((($242.00)) $254.00 per annum

Hotels of 50 to 59 rooms, ((($317.00)) $333.00 per annum

Hotels of 60 to 99 rooms, ((($366.00)) $384.25 per annum

Hotels of 100 to 149 rooms, ((($395.00)) $414.75 per annum

Hotels of 150 rooms or over, ((($444.00)) $466.25 per annum

Change of Ownership: ((($27.00)) $28.25

Hotel Conversion Ordinance Fee Schedule

Sec. 333.2.

Annual Unit Usage Report: ((($ 43.00)) $ 45.25

Appeal of initial or annual status determination: Standard inspection fee pursuant to Building Code Section 332.2 shall apply for Bureau of Building Inspection Inspector's work on such request plus fees for Hearing Officer

Challenge to claims of exemption: Usage Report: ((($ 14.00)) $ 14.75

Claim of exemption based on low-income housing: ((($170.00)) $178.50

Claim of exemption based on partially completed conversion: ((($340.00)) $357.00

Complaint of unlawful conversion: ((($ 14.00)) $ 14.75

Determination by Department of Real Estate: and cost of independent appraisals ((($806.00)) $846.25

Initial Unit Usage Report: ((($170.00)) $178.50

Permit to convert: $300.00

5/14/91 e Request for hearing to exceed 25% tourist season rental limit: Standard inspection fee pursuant to Building Code Section 332.2 for Bureau of Building Inspection Inspector's work on such request plus fees for Hearing Officer

Statement of exemption: ((($170.00)) $178.50

Unsuccessful challenge: Usage Report: Standard inspection fee pursuant to Building Code Section 332.2 shall apply for Bureau of Building Inspection Inspector's work on such request

5/14/91 e plus fees for Hearing Officer

Request for Winter Rental: Standard inspection fee pursuant to Building Code Section 332.2 for Bureau

5/14/91 e of Building Inspection Inspector's work on such request

Energy Conservation Fee Schedule

Sec. 333.3.

	Initial Inspection		Compliance Inspection	
Single Family Dwellings and Two Family Dwellings	((($41.00))	$43.00	((($20.50))	$21.50
Apartment Houses and Residential Hotels				
up to 20 rooms	((($46.00))	$48.25	((($22.50))	$23.75
20 to 29 rooms	((($55.00))	$57.75	((($27.00))	$28.25
30 to 39 rooms	((($66.00))	$69.25	((($32.50))	$34.25
40 to 49 rooms	((($73.00))	$76.75	((($36.50))	$38.50
50 to 59 rooms	((($82.00))	$86.00	((($41.00))	$43.00
60 rooms or over	((($92.00))	$96.50	((($46.00))	$48.25

Energy Reports and Certificates:	(($ 4.25))	$ 4.50
Filing fee for appeals:	(($32.50))	$35.75
Certification of qualified energy inspector:	(($16.25))	$17.00

(see File 114-90-6 for departmental approvals.)

APPROVED AS TO FORM:
Louise H. Renne
City Attorney

by: Theodore R. Lakey
Deputy City Attorney

RECOMMENDED

Deputy Director and City Engineer

DESCRIPTION APPROVED

for Superintendent
Bureau of Building Inspection

RECOMMENDED

Director of Public Works

APPROVED

Chief Administrative Officer

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
August 27, 1990	September 4, 1990
Ayes: Supervisors Gonzalez Hallinan Hsieh Kennedy Nelder Walker	Ayes: Supervisors Alioto Britt Hallinan Hsieh Kennedy Maher Nelder
Absent: Supervisors Alioto Britt Hongisto Maher Ward	Absent: Supervisors Gonzalez Walker Hongisto Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
114-90-6

SEP 10 1990
Date Approved

Mayor

FILE NO. 49-89-1.1 ORDINANCE NO. 322-90

(Settlement of Claim)
AUTHORIZING SUPPLEMENTAL SETTLEMENT OF CITY AND COUNTY OF SAN FRANCISCO'S CLAIM AGAINST WHITECLIFF COMPANY, INC. AND FIDELITY NATIONAL TITLE INSURANCE COMPANY IN SETO V. CITY AND COUNTY OF SAN FRANCISCO, ET AL. BY PERMITTING CITY TO RETAIN DEED RESTRICTIONS ON THREE OF THE UNITS IN QUESTION AND TO INDEMNIFY AND HOLD HARMLESS WHITECLIFF AND FIDELITY FROM LIABILITY FOR SUIT BY THE THREE REMAINING HOMEOWNERS.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized and directed to modify the Agreement and Release in Seto v. City and County of San Francisco, et al. approved in Ordinance 181-89 on May 22 and 30, 1989, by reserving the City's deed restrictions on 12 Vistaview Court owned by Bruce and Janie Alvord (Lot 69, Silverview Terrace), 181 Bayview Circle owned by Christie Cooper and John Reed (Lot 111, Silverview Terrace), and 175 Bayview Circle owned by Shirlese Hayes (Lot 112, Silverview Terrace).

Section 2. The City Attorney is authorized and directed to modify the Agreement and Release in accordance with the form of amendment in the Board's file for this Ordinance so as to provide that the City shall defend, indemnify, and hold harmless Whitecliff Company, Inc., Fidelity National Title Insurance Company, and all others to whom the benefits of the the provision on page 3, paragraph "(4)" of the Agreement and Release are

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/ / /

intended to inure, from any and all claims, causes of action, attorneys' fees, or damages in any way related to the fact that the restrictions shall remain on the three units identified in Section 1 above.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

Andrew W. Schwartz
ANDREW W. SCHWARTZ
Deputy City Attorney

RECOMMENDED:

Barbara T. Smith
BARBARA SMITH
Director of the Mayor's Office of Housing

8968j

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
August 27, 1990	§	September 4, 1990
Ayes: Supervisors Gonzalez Hallinan Hsieh Kennedy Nelder Walker	§	Ayes: Supervisors Alioto Britt Hallinan Hsieh Kennedy Maher Nelder
Absent: Supervisors Alioto Britt Hongisto Maher Ward	§	Absent: Supervisors Gonzalez Walker Hongisto Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
49-89-1.1

SEP 10 1990
Date Approved

Mayor

FILE NO. 74-90-1

ORDINANCE NO. 323-90

RO #90047

(TAX RATE SETTING)

PROVIDING REVENUE AND LEVYING TAXES FOR SAN FRANCISCO UNIFIED SCHOOL DISTRICT PURPOSES FOR THE FISCAL YEAR ENDING JUNE 30, 1991.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Under and pursuant to the laws of the State of California and in conformity therewith a tax is hereby levied for San Francisco Unified School District purposes, for the fiscal year ending June 30, 1991, on all property, real and personal, in the City and County of San Francisco, except such property as is by law exempt from taxation, in the sum of eight and one hundred thirty five thousandths, two hundred seventy millionths ($0.08135270) cents on each one hundred dollars valuation of said taxable property as the same appears upon the secured assessment roll of the said City and County for said fiscal year, which said sum is hereby apportioned as follows:

For general purposes, the rate of	$ .07698857
For debt service under the Field Act, the rate of	.00436413
Total	$ .08135270

PREPARED BY:

Samuel D. Gockley

CONTROLLER

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

322GEN-p.7

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
September 4, 1990	September 10, 1990
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Kennedy Maher Nelder Walker	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Nelder
Absent: Supervisors Ward	Absent: Supervisors Hongisto Maher Kennedy Walker Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
74-90-1

SEP 14 1990
Date Approved

[signature]
Mayor

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FILE NO 77-90-A

ORDINANCE NO 77-70

RO #90046

FILE NO. 74-90-2 ORDINANCE NO. 324-90

RO #90046

(TAX RATE SETTING)

PROVIDING REVENUE AND LEVYING TAXES FOR SAN FRANCISCO COMMUNITY COLLEGE DISTRICT PURPOSES FOR THE FISCAL YEAR ENDING JUNE 30, 1991.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Under and pursuant to the laws of the State of California and in conformity therewith a tax is hereby levied for San Francisco Community College District purposes, for the fiscal year ending June 30, 1991, on all property, real and personal, in the City and County of San Francisco, except such property as is by law exempt from taxation, in the sum of one and four hundred forty four thousandths, four hundred twenty two millionths ($0.01444422) cents on each one hundred dollars valuation of said taxable property as the same appears on the secured assessment roll of the said City and County for said fiscal year.

PREPARED BY:

Samuel D. Yockey
CONTROLLER

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Thomas J. Owen
DEPUTY CITY ATTORNEY

322GEN-p.6

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
September 4, 1990	September 10, 1990
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Kennedy Maher Nelder Walker	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Nelder
Absent: Supervisors Ward	Absent: Supervisors Hongisto Maher Kennedy Walker Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
74-90-2

SEP 14 1990
Date Approved

Mayor

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ORDINANCE NO. 325-70

FILE NO. 70-20-5

FILE NO. 74-90-3 ORDINANCE NO. 325-90

RO #90048

(TAX RATE SETTING)

PROVIDING REVENUE AND LEVYING TAXES FOR CITY AND COUNTY PURPOSES FOR THE FISCAL YEAR ENDING JUNE 30, 1991.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Under and pursuant to the provisions of the Charter of the City and County of San Francisco and of the laws of the State of California and in conformity therewith a tax is hereby levied for City and County purposes, for the fiscal year ending June 30, 1991 on all property, real and personal, in the City and County of San Francisco, except such property as is by law exempt from taxation, in the sum of ninety-six and nine hundred twenty thousandths, three hundred eight millionths ($0.96920308) cents on each one hundred dollars valuation of said taxable property as the same appears upon the secured assessment roll of the said City and County for said fiscal year, which said sum of ninety-six and nine hundred twenty thousandths, three hundred eight millionths ($0.96920308) cents on each one hundred dollars valuation as aforesaid is hereby apportioned in accordance with the provisions of Section 6.400 of the Charter to the funds and accounts and for the purpose designated as follows:

For the General Fund to meet the expense of the City and County of San Francisco not subject to said limitations of Section 6.400 of the Charter, including the cost of elections, the construction, maintaining and improving of streets, sewers and buildings, parks, squares, playgrounds and libraries, obligations imposed by the State Legislative or Constitutional enactment, and obligations imposed by the vote of the People of the City and County of San Francisco,

the rate of	$ .87418319
For the Open Space Acquisition Fund, the rate of	.02500000
For the County Superintendent of Schools, the rate of	.00097335
For the Bond Interest and Redemption Fund, the rate of	.06063587
Total	$ .96079241
Bay Area Air Quality Management District, the rate of	.00208539
Bay area Rapid Transit District - General Fund the rate of	.00632528
Total Tax Rate for City & County of San Francisco	$ .96920308

PREPARED BY:

Samuel D. Yockey
CONTROLLER

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Thomas J. Owen
DEPUTY CITY ATTORNEY

322GEN-p.5

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
September 4, 1990	§	September 10, 1990
	§	
	§	
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Kennedy Maher Nelder Walker	§	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Nelder
	§	
	§	
Absent: Supervisors Ward	§	Absent: Supervisors Hongisto Maher Kennedy Walker Ward
	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John L. Taylor
Clerk

File No.
74-90-3

SEP 14 1990
Date Approved

Mayor

FILE NO. 101-90-6

ORDINANCE NO. 326-90

RO #90038 SA #14

(GOVERNMENT FUNDING)

APPROPRIATING $166,088.00 FOR CAPITAL IMPROVEMENT PROJECT (AIRFIELD IMPROVEMENTS), AIRPORTS COMMISSION FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
27-00-00	Airports Commission		
30-874	1990 Series E Revenue Bonds		
050/01	Revenue Bond Reserve Payment		
55-5500 (053728)	Proceeds, Sale of Bonds	$166,088	
20/2030 (572115)	Airfields Improvements		
050-01	Revenue Bonds Reserve Payment		$149,868
200-01	Airfield Improvement		16,220

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

CONTROLLER

ac(ADM1035/30)

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
September 4, 1990	§	September 10, 1990
Ayes: Supervisors Alioto Britt Hallinan Hsieh Kennedy Maher Nelder	§	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Nelder
Absent: Supervisors Gonzalez Walker Hongisto Ward	§	Absent: Supervisors Hongisto Maher Kennedy Walker Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-90-6

SEP 14 1990
Date Approved

Mayor

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(Government Printing)	NO 400030 3A 8	DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT

FILE NO. 101-90-2

RO #90050 SA #

(Government Funding)

AMENDING THE ANNUAL APPROPRIATION ORDINANCE FOR FISCAL YEAR 1990-91, FILE NO. 101-90-2, ORDINANCE NO. 287-90, GIVING EFFECT TO REVENUE CHANGES PURSUANT TO CHARTER SECTION 6.208 AND ADJUSTING APPROPRIATIONS TO MEET THE REQUIREMENTS OF THE ART COMMISSION PURSUANT TO CHARTER SECTION 6.400, AS A PRE-REQUISITE TO LEVY A TAX PURSUANT TO CHARTER SECTION 6.208.

BE IT ORDAINED BY THE PEOPLE OF THE CITY AND COUNTY OF SAN FRANCISCO:

Section 1. The Annual Appropriation Ordinance for Fiscal Year 1990-91, File No. 101-90-2, Ordinance No. 287-90, is hereby amended by the following increases and decreases in revenue and expenditure accounts as indicated (in revenue appropriations and Year End Surplus accounts increases are shown as debits while decreases are shown as credits; in expenditure appropriations, reserves and addition to surplus accounts increases are shown as credits while decreases are shown as debits):

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	**General Fund**		
	Revenue Appropriation		
GL 904 (000026)	Reserves - Expenditure		
Subsidiary (00032)	Reserve for Tax Rate COLA	$1,800,000	
GL 905 (000026)	Unappropriated Revenue Reserved		
Subsidiary (00006)	General Reserve		$2,360,492
GL 906 (000026)	Year End Surplus	665,521	
99-00-00 9990 (161240)	General Fund Unallocated Revenue Transfer from 01-291 - District Attorney - Family Support		51,938
	Expenditure Appropriation		
28-00-00	**Art Commission**		
2010 (330217)	Program Project Budget		
Project #00401	Municipal Symphony Concerts		53,091
	Total	$2,465,521	$2,465,521

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-291	**Welfare Assistance & Administration Fund**		
	Revenue Appropriations		
04-02-00	District Attorney - Family Support		
60-6319 (041475)	Federal Subventions		$ 73,062
60-6209 (041115)	Collection Incentives	$ 21,124	
	Expenditure Appropriation		
04-02-00 49-4900	District Attorney - Family Support Revenue Transfer to #01-001 General Fund; 99-00-00 Unallocated	51,938	
	Total	$ 73,062	$ 73,062
02-003	**Senior Citizen's Program Fund Revenue Appropriations**		
G.L. 903 (000901)	Addition to Surplus	$ 780,000	
G.L. 906 (000901)	Year End Surplus		$ 780,000
	Total	$ 780,000	$ 780,000
02-006	**Cable TV Access Development and Program Fund**		
	Revenue Appropriations		
GL 903 (007658)	Addition to Surplus		$ 90,000
GL 906 (007658)	Year End Surplus	90,000	
	Total	$ 90,000	$ 90,000
02-012	**Rent Arbitration Fund Revenue Appropriations**		
GL903 (008854)	Addition to Surplus		$ 189,000
GL906 (008854)	Year End Surplus	$ 189,000	
	Total	$ 189,000	$ 189,000
02-071	**Off Street Parking Fund Revenue Appropriations**		
GL 903 (003327)	Addition to Surplus		$ 6,390,000
GL 906 (003327)	Year End Surplus	$ 6,390,000	
	Total	$ 6,390,000	$ 6,390,000

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DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
02-091	**Special Gas Tax and Street Improvement Fund Revenue Appropriations**		
GL 903 (002063)	Addition to Surplus		$ 185,000
GL 906 (002063)	Year End Surplus	$ 185,000	
	Total	$ 185,000	$ 185,000
02-092	**Road Fund**		
	Revenue Appropriations		
GL 903 (002071)	Addition to Surplus		$ 970,000
GL 906 (002071)	Year End Surplus	$ 970,000	
	Total	$ 970,000	$ 970,000
02-093	**Building Inspection Fund**		
	Revenue Appropriations		
GL 903 (008037)	Addition to Surplus	$ 100,000	
GL 906 (008037)	Year End Surplus		$ 100,000
	Total	$ 100,000	$ 100,000
02-221	**Open Space and Park Renovation Fund**		
	Revenue Appropriation		
GL 903 (002188)	Addition to Surplus		$ 2,478,000
GL 906 (002188)	Year End Surplus	$ 2,478,000	
	Total	$ 2,478,000	$ 2,478,000
02-222	**Candlestick Park Fund**		
	Revenue Appropriation		
GL 903 (002196)	Addition to Surplus		$ 2,285,000
GL 906 (002196)	Year End Surplus	$ 2,285,000	
	Total	$ 2,285,000	$ 2,285,000

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
02-224	**Marina Yacht Harbor Fund**		
	Revenue Appropriations		
GL 903 (002212)	Addition to Surplus		$ 152,000
GL 906 (002212)	Year End Surplus	$ 152,000	
	Total	$ 152,000	$ 152,000
02-229	**Special Recreation and Park Revenue Fund**		
	Revenue Appropriations		
GL 903 (004077)	Addition to Surplus		$ 690,000
GL 906 (004077)	Year End Surplus	$ 690,000	
	Total	$ 690,000	$ 690,000
02-301	**Yerba Buena Center Fund**		
	Revenue Appropriations		
GL 903 (002295)	Addition to Surplus	$ 1,000,000	
GL 906 (002295)	Year End Surplus		$ 1,000,000
	Total	$ 1,000,000	$ 1,000,000
02-302	**Convention Facilities Fund**		
	Revenue Appropriations		
GL 903 (001669)	Addition to Surplus	$ 605,000	
GL 906 (002295)	Year End Surplus		$ 605,000
	Total	$ 605,000	$ 605,000
02-403	**Admission Fund**		
	Revenue Appropriations		
GL 903 (002469)	Addition to Surplus		$ 55,000
GL 906 (002469)	Year End Surplus	$ 55,000	
	Total	$ 55,000	$ 55,000

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
02-412	**Street Artists' Fund**		
Project 10-101			
	Revenue Appropriation		
GL 903 (002410)	Addition to Surplus		$ 33,000
GL 906 (002410)	Year End Surplus	$ 33,000	
	Total	$ 33,000	$ 33,000
02-485	**Domestic Violence Program Fund**		
	Revenue Appropriations		
GL 903 (013482)	Addition to Surplus		$ 6,000
GL 906 (013482)	Year End Surplus	$ 6,000	
	Total	$ 6,000	$ 6,000
07-001	**Bond Interest and Redemption Fund**		
70-40	Chief Administrative Office		
	Revenue Appropriations		
5099 (04735)	Unallocated Tax	$ 708,000	
GL 906 (021063)	Year End Surplus		$ 708,000
	Total	$ 708,000	$ 708,000
30-001	**Airport Operating Fund**		
27-00-00	**Revenue Appropriations Airports Commission**		
	Revenue Appropriation		
53-5301 (044149)	Traffic Fines - Parking		$ 16,690
54-5401 (044149)	Interest Earned		221,226
90-9006	Rental-International Terminal (Non-Airline)	6,000	
9007	Rental-South Terminal (Non-Airline)		34,000
9009	Rental-North Terminal (Non-Airline)	3,000	
9015	Authorized Air Carriers	3,056,726	
9016	General Aviation	89,010	

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
9017	Landing Fees Surcharge		2,615,397
9020	Rental - Airline Cargo Space	107,000	
9021	Rental - Airline Ground Leases		118,975
9023	Rental - Hangar Unit	145,720	
9024	Rental - Hangar Office and Shops	124,000	
9025	Rental - International Terminal (Airline)		1,325,746
9026	Rental - South Terminal (Airline)		1,624,787
9027	Rental - North Terminal (Airline)		3,899,156
9028	Rental - Airmail and Cargo Building		432,500
9029	Rental - Custom Facility		515,569
9030	Rental - Tank Farm Area		25,000
9031	Rental - Other Buildings Non-Airline		65,000
9032	Rental - Unimproved Area, Non-Airline	2,200	
9033	Rental - Paved Area Non-Airline		3,500
9034	Rental - Other Buildings, Airlines	34,000	
9035	Rental - Other Governmental Agencies		110,000
9040	Fuel Commissions - General Avaition		30,000
9041	Fuel Commissions - Airline		70,000
9042	Commissions - Coin Locks		31,000
9045	Commission Revenues - Other Groundside		1,409,800
9046	Concession Revenues - Car Rentals		676,000
9048	Concession Revenues-Duty Free In Bond		375,000
9049	Concession Revenues - Other Terminal		450,000
9050	Sale of Electricity		5,000
9052	Refuse Disposal		10,000
9053	Water Resale - Sewage Disposal		50,890
9054	Cogeneration Facility - UAL		15,000
9060	Security Services	20,679	
9065	Parking	1,670,350	

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DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
9076	G T Trip Fees	538,450	
9085	Service Station		5,000
9090	Miscellaneous Revenues	50,000	
9092	Licenses & Permits	200	
GL 903 (022012)	Addition to Surplus		41,000,000
GL 906 (022012)	Year End Surplus	49,288,171	
	Total	$ 55,135,506	$ 55,135,506
32-001	Water Department Operating Fund		
	Revenue Appropriations		
GL 903 (024018)	Addition to Surplus		$ 83,000
GL 906 (024018)	Year End Surplus	$ 83,000	
	Total	$ 83,000	$ 83,000
34-001	San Francisco Harbor Operating Fund		
	Revenue Appropriations		
GL 903 (026013)	Addition to Surplus		$ 18,900,000
GL 906 (025015)	Year End Surplus	$ 18,900,000	
	Total		$ 18,900,000
$ 18,900,000			
35-001	Clean Water Operating Fund		
	Revenue Appropriations		
GL 903 (027565)	Addition to Surplus		$ 8,300,000
GL 906 (027565)	Year End Surplus	$ 8,300,000	
	Total	$ 8,300,000	$ 8,300,000

PREPARED BY:

Samuel D. Yockey

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Dey Riali
DEPUTY CITY ATTORNEY

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
September 4, 1990	September 10, 1990
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Nelder Walker	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Nelder
Absent: Supervisors Hongisto Ward	Absent: Supervisors Hongisto Maher Kennedy Walker Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-90-7

SEP 14 1990
Date Approved

Mayor

FILE NO. 101-90-8

ORDINANCE NO. 328-90

RO #90038 SA #4

(GOVERNMENT FUNDING)

APPROPRIATING $7,043,330 FOR CAPITAL IMPROVEMENT PROJECT (MOSCONE EXPANSION CONSTRUCTION), CHIEF ADMINISTRATIVE OFFICER - MOSCONE CENTER, FOR FISCAL YEAR 1990-91. PLACING $7,043,330 ON RESERVE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L. 491	Unappropriated Revenue Retained		
Subsidiary 000048	Reserve for Public Facilities	$7,043,330	
70-04-00	Chief Administrative Officer - Moscone Center		
21-2030 (420398)	Capital Improvement Project		
Project 760-01	Moscone Expansion Construction	_____	$7,043,330
	Total	$7,043,330	$7,043,330

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Samuel D. Yockey
CONTROLLER

ac(ADM1035/32)

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SEP 28 1990
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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
September 10, 1990	§	September 17, 1990
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Nelder	§	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Kennedy Maher Nelder Walker
Absent: Supervisors Hongisto Maher Kennedy Walker Ward	§	Absent: Supervisors Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-90-8

SEP 21 1990
Date Approved

Mayor

FILE NO 101-80-18

ORDINANCE NO 327-80

FILE NO. 101-90-18 ORDINANCE NO. 329-90

RO #90071 SA #40

(Government Funding)

APPROPRIATING $55,000 FOR OTHER CONTRACTUAL SERVICES, CITY ATTORNEY FOR FISCAL YEAR 1990-91, AN EMERGENCY ORDINANCE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L.491 (000026)	Unappropriated Revenue Retained		
Subsidiary 000069	Jail Overcrowding Planning Reserve	$ 55,000	
03-01-00	City Attorney		
10-1090 (302505)	Other Contractual Services		$ 55,000

Section 2. This Ordinance is passed as an emergency measure pursuant to Charter Section 2.301. The nature of the emergency is that action required to comply with time limitations as established by law. By federal court order of September 5, 1990, in the case of Stone v. City & County of San Francisco, the City and County is required to retain immediately an expert consultant in jail overcrowding to help develop a long term jail overcrowding plan for submission to the federal court in March 1991

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

CONTROLLER

259/28 WPPSPGEN

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OCT 2 1990

Passed as an Emergency Measure
Board of Supervisors, San Francisco

September 24, 1990

Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Kennedy Nelder Walker Ward

Absent: Supervisors Hsieh Maher

I hereby certify that the foregoing ordinance was passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-90-18

SEP 28 1990
Date Approved

Mayor

FILE NO. 94-88-3

ORDINANCE NO. 330-90

FILE NO. 62-90-3 ORDINANCE NO. 330-90

(AIRPORT-CONCESSION LEASE)

APPROVING THE "NORTH TERMINAL CANDY STORE LEASE" BETWEEN A.B.C. CIGAR COMPANY AND THE CITY AND COUNTY OF SAN FRANCISCO, ACTING BY AND THROUGH ITS AIRPORTS COMMISSION.

Be it ordained by the People of the City and County of San Francisco:

SECTION 1: Pursuant to Section 7.402-1 of the Charter, the Board of Supervisors hereby approves the "North Terminal Candy Store Lease" between A.B.C. Cigar Company and the City and County of San Francisco, acting by and through its Airports Commission. The Award of the North Terminal Candy Store Lease to A.B.C. Cigar Company was approved by Airports Commission Resolution No. 90-0138, adopted August 7, 1990.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By Diane L. Hermann
Deputy City Attorney

Airports Commission
2655p

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OCT 15 1990
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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
September 17, 1990	September 24, 1990
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Kennedy Maher Nelder Walker	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Kennedy Maher Nelder Walker
Absent: Supervisors Ward	Absent: Supervisors Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
62-90-3

OCT 3 1990
Date Approved

Mayor

FILE NO. 45-90-46 ORDINANCE NO. 347-90

RO #90049

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF ANTOINE ROAN AND MAKEKO NEWTON AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $7,000.00.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "Antoine Roan and Makeko Newton v. City and County of San Francisco, et al.," Municipal Court No. 018-030, by the payment of $7,000.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

By: KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

SAN FRANCISCO POLICE DEPARTMENT

By: FRANK JORDAN
Chief

FUNDS AVAILABLE:

Controller

01 001 97 09 38
309781 1450 $7,000.00

AUG 28 1990

APPROVED:

SAN FRANCISCO POLICE COMMISSION

Secretary

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
September 17, 1990	September 24, 1990
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Kennedy Maher Nelder Walker	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Kennedy Maher Nelder Walker
Absent: Supervisors Ward	Absent: Supervisors Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-90-46

OCT 3 1990
Date Approved

Mayor

FILE NO. 97-90-16 ORDINANCE NO. 332-90

(Assisted Housing Preservation)

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING CHAPTER 60 THERETO, TO REQUIRE THE PROVIDING OF CERTAIN NOTICES IN CONNECTION WITH THE PROPOSED TERMINATION OF AFFORDABILITY RESTRICTIONS ON CERTAIN SUBSIDIZED AFFORDABLE HOUSING DEVELOPMENTS, AND TO PROVIDE THE OPPORTUNITY FOR SPECIFIED ENTITIES TO PURCHASE SUCH HOUSING IN ORDER TO PRESERVE ITS USE AS AFFORDABLE HOUSING.

Be it ordained by the People of the City and County of San Francisco:

Note: This chapter is entirely new.

Section 1. The San Francisco Administrative Code is hereby amended by adding Chapter 60, to read as follows:

CHAPTER 60

Assisted Housing Preservation Ordinance

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Sec. 60.1. Title.
Sec. 60.2. Purposes.
Sec. 60.3. Findings.
Sec. 60.4. Definitions.
Sec. 60.5. Notice of Intent to Prepay and/or Terminate.
Sec. 60.6. Public Hearing.
Sec. 60.7. Relocation Benefits.
Sec. 60.8. Right to Receive Offer for Sale.
Sec. 60.9. Expiration of Rent Subsidy Contracts; Disclosure.
Sec. 60.10. Administrative Relief.
Sec. 60.11. Civil Actions.
Sec. 60.12. Civil Penalties.
Sec. 60.13 Rules and Regulations
Sec. 60.14. Severability.

SEC. 60.1. TITLE. This Assisted Housing Preservation Ordinance is enacted as Chapter 60 of the Administrative Code of the City and County of San Francisco.

SEC. 60.2. PURPOSES. The purposes of this Chapter are to assist public and private efforts to ensure that housing affordable to very low, low and moderate income households is not permanently removed from the housing stock, to preserve and promote a supply of housing that is affordable to very low, low and moderate income residents in the community, to protect the diversity of the community by preventing displacement of very low, low and moderate income households, and to prevent homelessness.

This Chapter is enacted:

(a) To assist efforts to ensure that the stock of affordable rental units in the community is preserved;

(b) To assist efforts to ensure that very low, low and moderate income households are not unnecessarily displaced from subsidized housing units due to the owner's prepayment of loans or termination of rent subsidies which have the effect of terminating restrictions on occupancy, rent, and use of such units;

(c) To ensure that the City, concerned nonprofit organizations and affected tenant households receive adequate notice that affordability restrictions may terminate to enable them to respond to the potential problems created by conversions of subsidized rental units; and

(d) To ensure that the subsidized rental unit occupants are provided with information and assistance in the event of conversion of such units to market-rate housing.

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SEC. 60.3. FINDINGS. The Board of Supervisors finds that:

(a) For more than fifty years, federal, state and local governmental entities have initiated and maintained various housing programs designed to provide housing affordable to low and moderate income households.

(b) Since the inception of these housing programs, demand for affordable subsidized rental units has consistently exceeded the supply of such units.

(c) On May 12, 1989, the Mayor's Housing Advisory Committee for the City and County of San Francisco issued the draft Affordable Housing Action Plan For San Francisco. The report concludes that "[t]he demand for housing, especially for housing affordable to households earning less than moderate income, greatly exceeds the availability of such housing" and that the "preservation and improvement of the local existing affordable housing stock, particularly for low and very low income households, must be made a priority."

(d) The Federal Home Loan Bank has determined in the Federal Home Loan Bank Housing Vacancy Survey conducted in September of 1988 that the vacancy rate for all multi-family housing in San Francisco was approximately 1.6%.

(e) According to the Inventory of Federally-Subsidized Low-Income Units at Risk of Conversion issued on March 1, 1989 by the California Coalition for Rural Housing and the California Housing Partnership Corporation, approximately 83 privately-owned housing developments assisted with federal funds are located in

San Francisco. Some of these assisted developments contain units affordable to very low, low and moderate income households which are at risk of conversion to market-rate rental or ownership housing by the year 2008. These developments include approximately 7,500 units carrying project-based rental subsidies under the Section 8 program. Approximately 3,900 of these units are at risk of conversion to market-rate housing due to prepayment of federal loans or termination of Section 8 subsides. Approximately 4,000 additional units already in nonprofit ownership are also at risk due to impending expiration of Section 8 contracts.

(f) The California State Legislature has declared that there exists a severe shortage of housing affordable to very low, low and moderate income households, that such shortage is inimical to the safety, health and welfare of the residents of the state, and that it is an economic benefit to the state and a public purpose to encourage the availability of adequate housing for very low, low and moderate income households.

(g) Section 101.1(b)(3) of the San Francisco Planning Code establishes as a Priority Policy for the San Francisco Master Plan "[t]hat the City's supply of affordable housing be preserved and enhanced." The Housing Element of the San Francisco General Plan establishes as one of its primary goals the preservation and expansion of the housing stock affordable to very low, low and moderate income households within the City. The California State Legislature has recently enacted provisions requiring the City to include in its Housing Element an analysis of existing assisted housing developments for which subsidies and applicable use restrictions may be terminated during the next ten years, and a

program for preserving such affordable units. The Legislature has also enacted provisions which clarify that the Low and Moderate Income Housing Fund moneys administered pursuant to the Health and Safety Code by redevelopment agencies may be expended for assisted housing preservation efforts.

(h) The City's Housing Assistance Plan, Community Development Objectives, and Comprehensive Homeless Assistance Plan all establish the preservation and expansion of the supply of affordable housing as major policy objectives of the City.

(i) Under the federal housing programs designed to create and maintain privately-owned, publicly assisted housing affordable to households of very low, low and moderate income, including but not limited to the Section 221(d)(3), Section 236, Section 8 New Construction, Substantial Rehabilitation and Moderate Rehabilitation Programs, and the Section 8 Loan Management Set Aside Program, some persons owning federally subsidized housing units may prepay federally-subsidized loans prior to the end of the loan term, and/or are given the option upon renewal dates of rental subsidies not to renew such subsidies. The City recognizes the rights of owners of such housing units contained in such contracts with the federal government and that the owners of such housing are entitled by law to a fair return on their investment.

(j) The owners of such housing units have enjoyed substantial financial benefits from participation in such government programs, including, but not limited to:

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(1) Programs such as the Builder Sponsor Profit And Risk Allowance, which allowed original owners to credit a noncash contribution toward the 10% equity requirement;

(2) Calculation of the 6% return on the basis of 10% of project value, regardless of the owner's actual cash investment;

(3) Operating income subsidies;

(4) Capital improvement loan subsidies;

(5) Reduction of debt service in insured projects;

(6) Mortgage modification, forbearance and workout policies which substantially reduced risk of foreclosure;

(7) HUD regulatory preemption of local rent control; and

(8) Tax benefits under the Tax Reform Act of 1976, the Economic Recovery Tax Act of 1981 and the Deficit Reduction Act of 1984. Among the most significant of these tax benefits was the application of accelerated depreciation schedules to Assisted Housing Developments. For example, in 1981, the United States Congress amended the United States Internal Revenue Code to enable the owner of a low-income housing development to take advantage of special accelerated depreciation rules. Under the 1981 amendments, such developments were allowed to be depreciated for tax purposes using the double declining balance method over a shortened fifteen year period. This change in the Internal Revenue Code created a powerful financial incentive to increase the depreciable basis of a development. Subsequent to the effective date of this change, many former owners of Assisted Housing Developments participated in transfers of ownership at inflated prices which greatly increased the depreciable basis of the Developments, and the tax benefits of ownership. In some cases, these tax benefits were abused when transfers involved the use of unenforceable debt obligations to pay an inflated purchase price and thus the depreciable basis. In these

transactions, loans which required no current payment of principal or interest, or which carried no foreclosure remedy for default, were used primarily to inflate depreciable basis above the then-current value of the Development. Such loans have little or no economic value other than as a device to inflate depreciable basis and increase tax benefits. The creation of these "paper" loans ceased when the Internal Revenue Code was amended by the Tax Reform Act of 1986. The 1986 amendments removed the financial incentives to inflate depreciable basis by instituting the passive activity and passive loss rules, by lengthening the period of depreciation for Assisted Housing Developments to twenty-seven and a half years, and by changing the method from double declining balance to straight line. Therefore, the Board of Supervisors finds that the principal or interest due under loans created between the effective dates of the 1981 and 1986 amendments to the Internal Revenue Code, which are not required to be paid currently from the cash flow generated by operation of a Development or which could not be foreclosed upon for failure to make payments, should not be included in the Fair Return Price.

(k) The prepayment of federally subsidized loans and the failure to renew rental subsidies under federal programs will terminate federal rent restrictions and will result in loss of housing units affordable to and the displacement of very low, low and moderate income households.

(l) In the San Francisco Bay Area, 18,820 units in 186 projects providing housing for thousands of very low, low and moderate income households may be directly and adversely affected by the prepayment of Section 221(d)(3), Section 236, and Section 8

loans and the non-renewal of Section 8 project-based subsidies. This regional loss of housing units affordable to very low, low and moderate income households will impact all communities within the Bay Area. The California Legislature has declared that all communities have an obligation to provide a fair share of the region's housing needs for very low, low and moderate income households.

(m) Conversion of subsidized rental units to market-rate rental or ownership units will result in the displacement of very low, low and moderate income households residing in assisted housing developments, and will also result in a permanent loss from San Francisco's housing stock of housing units affordable to very low, low and moderate income households. The risk of such conversions constitutes a substantial and immediate threat to the welfare, health and safety of San Francisco's residents. Displacement of very low and low income households, the currently inadequate supply of affordable housing units, and the lack of federal, state and local funds to produce a sufficient supply of such units, combine to force more people into already overburdened emergency shelters, and onto the streets.

(n) The loss of affordable rental units resulting from conversion will have an adverse impact on the goal of preserving and expanding the existing stock of affordable housing, as well as an adverse impact on the City's housing and service programs by placing additional burdens on the City's limited housing resources and limited resources for providing emergency shelter and associated services.

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(o) Conversions of subsidized rental units to non-subsidized rental units present special problems which would create conditions detrimental to the health, safety and welfare of the San Francisco community.

SEC. 60.4. DEFINITIONS.

(a) "Assisted Housing Development" or "Development" shall mean any multifamily rental housing building, or group of buildings under common ownership, comprised of four or more rental units, which Development has received or receives any public subsidy, including, but not limited to, a mortgage loan, a mortgage interest subsidy, mortgage insurance or a rent subsidy from a federal, state or local governmental body or agency, whose rent levels are restricted so as to be affordable to Very Low, Low and Moderate Income Households.

(b) "CHFA" shall mean the California Housing Finance Agency and shall include any delegatee of CHFA when such delegatee acts to administer a CHFA program.

(c) "City" shall mean the City and County of San Francisco.

(d) "Conversion" shall mean any of the following with regard to a Unit which was (i) a Subsidized Rental Unit on the effective date of this Chapter, and (ii) is located in a Development as to which Prepayment, Termination or Repurchase has occurred:

(1) A rent increase, resulting in a rent exceeding the rental payment allowed under the applicable Use Restrictions for a Unit in the Assisted Housing Development;

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(2) Demolition or other construction work on the Unit which renders the Unit uninhabitable, is commenced; or

(3) A change in use of the Development or any Unit within a Development is commenced.

(e) "Conversion Date" shall mean the date on which Conversion occurs.

(f) "Converted Unit" shall mean a Subsidized Rental Unit that was subject to Conversion.

(g) "Director of Housing" shall mean the Deputy Mayor for Housing and Neighborhoods of the City and County of San Francisco and his or her designee, or if such position ceases to exist, such other qualified City official as shall be designated by the Mayor as the Mayor's agent for the enforcement of this Chapter.

(h) "HUD" shall mean the United States Department of Housing and Urban Development, and shall include the Federal Housing Administration ("FHA") and any delegatee of HUD when such delegatee is acting to administer a HUD program.

(i) "Low Income Household" shall mean any household with an adjusted gross income which does not exceed 80% of Median Income.

(j) "Median Income" shall mean the median gross annual income, adjusted for household size, for households in the Statistical Area, as published periodically by HUD. In the event that such income determinations are no longer published by HUD or are not updated for a period of at least eighteen months, "Median

BOARD OF SUPERVISORS

Income" shall mean the median annual gross income, adjusted for household size, for households in San Francisco County, California, published periodically by the California Department of Housing and Community Development ("HCD"). In the event that such income determination are no longer published by HCD, or are not updated for a period of at least eighteen months, the City shall determine the Median Income using standards and methods reasonably similar to those standards and methods used by HUD or HCD when it last published a Median Income calculation.

(k) "Moderate Income Household" shall mean any household with an adjusted gross income which does not exceed 95% of Median Income.

(l) "Notice of Intent to Prepay and/or Terminate" shall mean the notice the Owner provides to the Director of Housing and to Tenant Households eighteen (18) months prior to Prepayment or Termination, as set forth in Section 60.5 of this Chapter.

(m) "Owner" shall be defined to mean the person, partnership, or corporation or other entity that is a party to a contract with HUD or other public body which provides a mortgage, mortgage assistance, mortgage insurance, or rent subsidy, or any spouse, employee, agent, partner, master lessee, business affiliate or associate, or successor in interest of such person, partnership or corporation that receives or demands Rent for a Subsidized Rental Unit.

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(n) "Person" shall mean any natural person, corporation, firm, partnership, association, joint venture, government (domestic or foreign), governmental or political subdivision or agency, or other similar entity.

(o) "Prepayment" shall mean the prepayment, prior to the expiration of the full, original, stated term of the loan, of any loan secured by an Assisted Housing Development which loan was insured or subsidized at its inception by a federal, state or local governmental body or agency, including, but not limited to, loans made, insured or subsidized under the authority of the following provisions of federal and state law, if such prepayment would have the effect of terminating the Use Restrictions applicable to such Assisted Housing Development, without substitution of substantially similar Use Restrictions:

(1) New Construction, Substantial Rehabilitation, and Loan Management Set-Aside programs under Section 8 of the United States Housing Act of 1937, as amended, 42 U.S.C. 1437(f);

(2) Section 213 of the National Housing Act of 1934, as amended, 12 U.S.C. 1715e;

(3) The Below-Market-Interest-Rate Program under Section 221(d)(3) of the National Housing Act of 1934, as amended, 12 U.S.C. §1715 l(d)(3);

(4) Section 236 of the National Housing Act of 1934, as amended, 12 U.S.C. §1715z-1.

Prepayment shall not include the expiration of the full original, stated term of a loan.

(p) "Prepayment Date" shall mean the date Prepayment, Termination, or Repurchase occurs.

(q) "Rent" shall mean the monetary consideration paid by a Tenant Household for the use or occupancy of a Unit, and shall not include a utility allowance.

(r) "Replacement Unit" shall be defined to mean a Unit which satisfies the following standards:

(1) Is decent, safe, sanitary and comparable to the Converted Unit, with a quality of construction conforming to current building code standards and adequate in number of rooms and living space to accommodate the Tenant Household of the Converted Unit being replaced.

(2) Is located in the City in an area (i) not subjected to unreasonably adverse environmental conditions from either natural or manmade sources, (ii) not generally less desirable than the Converted Unit with respect to public utilities, public and commercial facilities and neighborhood conditions, including schools and municipal services, and (iii) reasonably accessible to the present or potential places of employment of the members of the Tenant Household of the Converted Unit being replaced; and

(s) "Repurchase" shall mean purchase by an Owner or its related entity of a Development or any portion thereof, following foreclosure or transfer by deed in lieu of foreclosure, which foreclosure or transfer terminates the applicable Use Restrictions, when the building included Subsidized Rental Units immediately prior to foreclosure or transfer, and the building was owned by the same Owner prior to foreclosure or transfer in lieu of foreclosure, and new, substantially similar Use Restrictions are not substituted for such terminated Use Restrictions. For the purposes of this Chapter, "related entity" means and of the following:

(1) A spouse, parent, child, or other individual related to the Owner by a tie of blood, marriage, adoption or operation of law;

(2) A partnership, if the Owner is either a general or a limited partner of the partnership;

(3) A corporation, if the Owner serves on the board of directors of the corporation, or if the Owner is a holder of 10 percent or more of any class of the outstanding stock of the corporation; or

(4) Any other business entity for which the Owner has primary or controlling authority for management of the business.

(t) "Section 8" shall mean Section 8 of the United States Housing Act of 1937, as amended, 42 U.S.C. Section 1437f.

(u) "Statistical Area" shall mean the San Francisco-Oakland Metropolitan Area.

(v) "Subsidized Rental Unit" shall mean any Unit in an Assisted Housing Development.

(w) "Tenant Household" shall mean a Person or group of Persons entitled by written or oral agreement, subtenancy approved by the Owner, or sufferance, to occupy a Unit to the exclusion of others.

(x) "Tenant Association" shall mean a group of Tenants who have formed a nonprofit corporation, limited equity cooperative corporation, unincorporated association, or other entity or organization whose primary purpose is the preservation, for current

BOARD OF SUPERVISORS

and subsequent Tenants, of the affordability of the Subsidized Rental Units in which the Tenants reside.

(y) "Termination" shall mean terminating or failing to renew a rent subsidy contract with HUD or CHFA prior to the expiration of the full term of such contract, which contract may be unilaterally renewed by an owner, including, but not limited to contracts entered into pursuant to: (i) Section 8, which contracts are renewable by an Owner in five-year increments during the contract term, but not including any contracts entered into pursuant to the Section 8 Existing Housing Program (24 C.F.R. Part 882); and (ii) Section 101 of the Housing and Urban Development Act of 1965, as amended. Termination shall not include the expiration of a full original, stated term of a rental subsidy contract, or the termination of the contract upon default by the Owner.

(z) "Unit" shall mean a residential rental unit, and shall include a Subsidized Rental Unit.

(aa) "Use Restriction" shall mean any federal, state or local statute, regulation, ordinance, contract, regulatory agreement, covenant, or other restriction which imposes a maximum limitation on Tenant Household income as a condition of eligibility for occupancy of a Unit and (i) imposes a restriction on the maximum rents that could be charged for any of the Units, or (ii) requires that rents for any of the Units within an Assisted Housing Development be reviewed by a governmental body or agency before the rents charged to Tenant Households may be increased.

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(bb) "Very Low Income Household" shall mean any household with an adjusted gross income which does not exceed 50% of Median Income.

SEC. 60.5. NOTICE OF INTENT TO PREPAY AND/OR TERMINATE.

(a) At least eighteen (18) months prior to the anticipated date of any Prepayment and/or Termination, any Owner of an Assisted Housing Development shall deliver to the Director of Housing and to each Tenant Household a Notice of Intent to Prepay and/or Terminate.

(b) The Notice shall include the following information:

(1) The name and address of each Owner of the Assisted Housing Development. For any Owner that is a corporation, the Notice shall contain the names and addresses of the officers and directors of the corporation and of any Person directly or indirectly holding more than ten percent (10%) of any class of the outstanding stock of the corporation. For any Owner that is a partnership or joint venture, the Notice shall contain the names and addresses of the joint venturers or general and limited partners and shall specify the names and addresses of the natural persons who are the principal or controlling persons of such entities.

(2) The Development's name, federal, state, or local program name and ID number, and address;

(3) The date of intended Prepayment and/or Termination and a brief description of the Owner's plans for the Development, including any timetables or deadlines for actions to be taken;

(4) The number of Subsidized Rental Units in the Development subject to Prepayment and/or Termination, and the number of Subsidized Rental Units occupied by Tenant Households with persons age 62 or older, with disabled persons, or with children;

(5) The current Rent schedule for the Subsidized Rental Units;

(6) A brief description of any contacts concerning Prepayment, Termination or Conversion the Owner has made with any government agency, Tenant Household residing in the Development, or other interested person or entity;

(7) The anticipated rent schedule after Prepayment and/or Termination;

(8) A statement signed by the Owner under penalty of perjury certifying the date on which a copy of the Notice was sent to the Director of Housing;

(9) A statement that the Planning Commission is required to hold a public hearing on the intended Prepayment and/or Termination within ninety (90) days of receipt of the Notice by the Director of Housing; and

(10) the telephone number of the Director of Housing or the designee of the Director of Housing to call to request additional written information about the Owner's responsibilities and about the rights and options of Tenant Households.

(c) The eighteen (18) month notice period shall commence on the date the Notice of Intent to Prepay and/or Terminate has been received both by the Director of Housing and by all affected Tenant Households. The Notice shall be deemed received five (5) days after it is given by deposit in the United States certified mail, return receipt requested. No Owner shall cause, either by action or inaction, the Prepayment and/or Termination to occur prior to the expiration of the eighteen (18) month notice period.

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(d) Within twenty-one (21) days after the Owner gives the Notice of Intent to Prepay and/or Terminate, the Owner shall submit to the Director of Housing a statement certifying the following information under penalty of perjury:

(1) The Owner's Actual Cash Investment in the Development, as defined by Section 60. 8(i)(1)(i) below, itemized by date of investment;

(2) The total amount of debt described in Section 60.8(i)(1)(iii) below; and

(3) The total amount of debt described in Section 60.8(i)(2)(iii) below.

(e) Upon ten (10) days' advance notice to the Owner, the Director of Housing may require the Owner to make available for inspection and auditing during normal business hours all financial books and records pertaining to the Development. The Director of Housing shall make a copy of: (1) the Notice of Intent to Prepay and/or Terminate and (2) the statement required by Sec. 60.5(d) above, and shall make such copies, together with the results of such audit, available to any Qualified Entity upon receipt of written request by such Qualified Entity.

SEC. 60.6. PUBLIC HEARING ON PROPOSED PREPAYMENT AND/OR TERMINATION.

(a) No later than forty-five (45) days after the date the Director of Housing receives the Notice of Intent to Prepay and/or Terminate, the Director shall notify the secretary of the City Planning Commission ("Commission") that such Notice was received and shall forward to the Commission a copy of such Notice. No later than forty-five (45) days after the secretary's receipt of notice

from the Director pursuant to the preceding sentence, the Planning Commission shall hold a public hearing on the intended Prepayment and/or Termination. The failure of the Commission to hold a timely public meeting shall not prevent any Person from exercising any of its rights with respect to the Development.

(b) The Commission shall give notice of the date and location of the public hearing as customarily is given by the Commission for its public meetings. The notice shall contain a summary of the Owner's plan for the Development subsequent to Prepayment and/or Termination, including the date of any proposed Prepayment, Termination or Conversion. The Commission shall also mail the notice of the public hearing to any interested person or organization that requests in writing to be notified of any particular public hearing on a proposed Prepayment and/or Termination, or of all public hearings on proposed Prepayments and/or Terminations.

(c) At least fourteen days prior to the public hearing, the Director of Housing shall make available to any interested person copies of the Notice of Intent to Prepay and/or Terminate and any other information, including copies of this Chapter, that concerns the responsibilities of Owners and the rights and options of Tenant Households.

(d) The Commission shall hear testimony and receive relevant documents from interested Persons. The Commission shall consider the evidence and make specific written findings as to the following issues:

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(1) The proposed date of Prepayment, Termination or Conversion, if intended;

(2) The anticipated use of the Assisted Housing Development subsequent to Prepayment, Termination or Conversion, if intended;

(3) The anticipated numbers of Units in the Development on any proposed Prepayment Date that will be occupied by Very Low, Low and Moderate Income Households;

(4) The numbers of households in each income category identified in subparagraph (3), above, that will contain, on the Prepayment Date, one or more disabled Tenants, who are children under the age of 18 or persons over the age of 62;

(5) For each Unit occupied by a Very Low, Low or Moderate Income Household prior to the Prepayment Date, the rent increase anticipated upon Conversion expressed both numerically and as a percentage of the Rent charged immediately prior to the Conversion Date;

(6) The numbers of Tenant Households, by each category identified in subparagraphs (3) and (4) above, likely to be Displaced by Conversion;

(7) The vacancy rates in the City for rental units which are available at Affordable Rent to Very Low, Low and Moderate Income Households; and

(8) The likely impact of Prepayment and/or Termination and subsequent Conversion upon public and private nonprofit services.

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For the purpose of this Section 600.6(d), (1) Affordable Rent shall mean the rent levels specified in Section 60.8(b)(2)(i) and (ii) below, and (2) a Tenant Household shall be presumed to be likely to be Displaced when the rent due subsequent to the Conversion Date exceeds Affordable Rent.

(e) Within thirty days after the hearing, the Commission shall complete and forward its findings under Section 60.6(d) above to the Clerk of the Board of Supervisors ("Board"). Subject to the time required for adequate public notice and preparation for review, the Board shall consider the Commission's findings at the Board's next regular meeting following receipt of the findings by the Clerk of the Board, and shall, by resolution, accept the findings or remand the findings to the Commission for revision.

SEC. 60.7. RELOCATION BENEFITS FOR DISPLACEMENT DUE TO CONVERSION.

(a) For any Very Low, Low, or Moderate Income Household Displaced by Conversion, the Owner shall pay to such Tenant Household an amount equal to the difference between (i) the annual rent or Cost of ownership required for such Household to lease or rent a Unit for four years, or to purchase a dwelling unit, either of which is equivalent to a Replacement Unit and (ii) thirty percent (30%) of the actual gross annual income of the Tenant Household on the Prepayment Date; provided, however, that in no event shall the amount calculated under this Section 60.7(a) exceed Five Thousand Two Hundred Fifty Dollars ($5,250.00).

(b) For the purpose of this Section 60.7, a Tenant Household is "Displaced" by Conversion when, after the Notice of Intent to

Prepay and/or Terminate is given, the Tenant Household receives a notice to quit, or vacates the Unit due to inability to pay the increased Rent due on the Conversion Date, and the facts constituting the grounds for eviction stated in Section 37.9(a)(2), (3), (4), (6), or (7) of the San Francisco Administrative Code, or any other just cause cognizable under federal or state regulation applicable to the Development prior to the Prepayment Date, do not exist to justify eviction. A Tenant Household shall be presumed to be unable to pay the rent due on the Conversion Date if such rent exceeds the rent specified in Section 60.8(b)(2)(ii). The Tenant Household shall not be considered to be Displaced by Conversion if the Tenant Household is evicted for nonpayment of the Rent due prior to the Conversion Date.

(c) A Tenant Household Displaced by Conversion shall be entitled to receive the amount due under Section 60.7(a) prior to but as a condition of, vacating the Unit.

(d) The requirement contained in Section 60.7(a) above shall not apply to any Assisted Housing Development which is sold or otherwise transferred to a Qualified Entity pursuant to Section 60.8 below, or if the Owner provides to the Tenant Household, prior to the Conversion Date, a Replacement Unit which is immediately available for occupancy.

SEC. 60.8. RIGHT OF QUALIFIED ENTITIES TO RECEIVE OFFER FOR PURCHASE OF AN ASSISTED HOUSING DEVELOPMENT.

(a) Any Owner of an Assisted Housing Development required by this Chapter to give Notice of Intent to Prepay and/or Terminate, or to give the notice of expiration required by Section 60.9, below,

shall not sell or otherwise transfer the Development, or any portion thereof, unless the Owner proposing such sale or transfer shall first have provided Qualified Entities the opportunity as described in this Section 60.8 to purchase the Development.

(b) A Qualified Entity within the meaning of this Chapter means an entity that (x) is a government entity; or (y) is described in Section 501(c)(3) and is exempt from taxation under Section 501(a) of the Internal Revenue Code of 1986, and is (A) the Tenant Association of the Development, if any, (B) a nonprofit public benefit corporation or (C) a limited partnership with a nonprofit public benefit corporation as general partner, and which:

(1) Has demonstrated, to the reasonable satisfaction of the Director of Housing, the capability, either by itself or through a management agent, to manage the Development for the Development's remaining useful life;

(2) Agrees, in a written certification to the Owner and to the Director of Housing and through the recording of the document described in Section 60.8(n), to obligate itself and any successors in interest to maintain the Assisted Housing Development, for its remaining useful life, for occupancy either in (x) the same percentage of Very Low, Low and Moderate Income Households that occupied the Units on the date the Owner gave Notice of Intent to Prepay and/or Terminate or (y) the percentages specified in existing Use Restrictions, whichever yields lower Rents, at monthly Rents not exceeding the lower of:

(i) the rents specified in the existing Use Restrictions; or

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(ii) (A) the greater of one twelfth (1/12) of (1) thirty percent (30%) of forty percent (40%) of Median Income, or (2) thirty percent of actual Tenant Household income, less a utility allowance, for each Unit occupied by a Very Low Income Household; and (B) the greater of one twelfth (1/12) of: (1) thirty percent (30%) of seventy percent (70%) of Median Income, or (2) thirty percent of actual Tenant Household income, less a utility allowance, for each Unit occupied by a Low Income Household; and (C) the greater of one twelfth (1/12) of: (1) thirty percent of ninety percent (90%) of Median Income, or (2) thirty percent of actual Tenant Household income, less a utility allowance, for each Unit occupied by a Moderate Income Household;

(3) Has demonstrated, to the reasonable satisfaction of the Director of Housing, a commitment to seek, diligently and in good faith, any additional subsidies that may become available to increase the percentage of units available for occupancy by Very Low Income Households at a Rent not exceeding the amount specified in Section 60.8(b)(2)(ii) above;

(4) Does not have among its directors, general partners, shareholders or other Persons with a financial interest in the entity, a majority of Persons who have Converted Subsidized Rental Units or have given a Notice of Intent to Prepay and/or Terminate; and

(5) Is not a related entity of the Owner

(c) Any Person may petition the Director of Housing to determine whether a Person claiming to be a Qualified Entity is a Qualified Entity. Upon written request of the Director of Housing, any Person claiming to be a Qualified Entity shall submit to the Director of Housing, within thirty (30) days of receipt of such

request, written documentation supporting the conclusion that that Person is a Qualified Entity. Such documentation shall include a statement by an authorized officer of the entity attesting under penalty of perjury to the accuracy and completeness of the facts stated in such documentation. Upon receipt the Director of Housing shall make such documentation available for public inspection and copying upon written request by any interested Person. The Director of Housing shall promptly make a determination after receiving all relevant information and shall support the determination with public written findings. The determination of the Director may be appealed to the Appeals Board.

(d) Any Owner of an Assisted Housing Development who is required to give Notice of Intent to Prepay and/or Terminate, or to give the notice of expiration required by Section 60.9, shall not sell or otherwise transfer an Assisted Housing Development, or any portion thereof, without giving, at least fourteen (14) months prior to the date of such sale or transfer, notice of intention to sell or transfer the Development or any portion thereof, ("Notice of Intent to Sell") to the Director of Housing and to any Qualified Entity which requests in writing such notice from the Owner. The Notice of Intent to Sell shall be signed by the Owner under penalty of perjury and given by deposit in the United States Mail, first class, certified, return receipt requested and posted in a conspicuous place in the common area of the Development.

(e) The Notice of Intent To Sell shall contain all of the following:

(1) The intended date of sale or transfer;

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(2) The terms of assumable or seller take-back financing, if any, including, but not limited to, the name and address of the lender, the principal amount of the loan, the interest rate, repayment provisions, the date the loan is due, and the priority of the lien of any instrument securing the loan; the terms of an applicable subsidy contract, if any; and proposed improvements to the property to be made by the Owner in connection with the sale or transfer, if any;

(3) A statement that the Development or portion thereof is available for purchase by or transfer to a Qualified Entity;

(4) A statement that the Owner will make available to any Qualified Entity, within 15 days of receiving a written request therefor, itemized lists of monthly operating expenses, capital improvements as determined by the Owner made within each of the two preceding calendar years, the amount of project reserves, and copies of the two most recent financial and physical inspection reports on the Development, if any, filed with federal, state, or local agencies; and

(5) A copy of the Notice of Intent to Prepay and/or Terminate and a statement, signed by the Owner under penalty of perjury, of the date the Notice of Intent to Prepay and/or Terminate was given.

(f) If, prior to the time by which the Owner must give the Notice of Intent to Sell, the Owner already has received from a Qualified Entity an Offer To Purchase as defined in Section 60.8(g) below, and the Owner has accepted such Offer, the Owner shall not be required to give the Notice of Intent to Sell; provided, however, that the Owner shall be required to submit to the Director of Housing, and to post in a conspicuous place in the Assisted Housing

Development, a certification made under penalty of perjury that the Owner has received and accepted an Offer to Purchase from a Qualified Entity. Such certification shall contain a statement of the terms of the sale or transfer.

(g) Any Qualified Entity which desires to acquire the Development shall send to the Director of Housing and to the Owner by United States mail, first class, certified, return receipt requested, an Offer to Purchase. To be effective for the purpose of Section 60.8(i) below, such Offer to Purchase shall be received by the Owner no later than eight months prior to the Conversion Date. The Offer to Purchase shall contain the following information:

(1) The name, address and form of organization of the Qualified Entity;

(2) The names and titles of the officers, directors, and similar persons in control of and principal investors in the Qualified Entity;

(3) A statement, signed by an authorized officer under penalty of perjury, that the offeror is a Qualified Entity within the meaning of this Chapter; and

(4) The terms of the Offer to Purchase, including the purchase price, the proposed methods and terms of financing, the proposed date for close of escrow, and any other terms of purchase, including the financing and mechanisms by which the Qualified Entity will maintain the physical integrity and the affordability of the Development.

(h) Any Owner who is required to give Notice of Intent to Prepay and/or Terminate, prior to the date eight (8) months prior to the proposed Conversion Date, shall not sell or transfer, or enter

into an agreement to sell or transfer, an Assisted Housing Development or any portion thereof to any entity other than a Qualified Entity. If an Owner receives an Offer to Purchase from a Qualified Entity, the Owner shall accept the Offer if the purchase price offered is equal to or exceeds the Fair Return Price defined in Section 60.8(i) below and the remaining terms of the offer to Purchase are commercially reasonable. If more than one Qualified Entity submits such an Offer to Purchase, the Owner may accept any such Offer; provided, however, that the Owner shall be required to accept an Offer to Purchase by a local Qualified Entity over a competing Offer made by a nonlocal Qualified Entity. For the purpose of this Chapter, a Qualified Entity is "local" if it is a Tenants' Association of the Development or if its principal office is located within the City and County of San Francisco.

(i) For the purpose of this Chapter, the Fair Return Price shall be the greater of the following two alternative formulas specified in this Section 60.8(i); provided, however, that the Fair Return Price shall in no event exceed the value of the Development appraised by standard appraisal methods for the highest and best use, taking into account applicable legal restrictions governing the use of the Development. The Fair Return Price shall equal the greater of (1) or (2) below:

(1) The sum of the following amounts:

(i) The owner's Actual Cash Investment in the Development, adjusted for inflation by multiplying the historic dollar amount of the Actual Cash Investment by the Consumer Price Index as published by the United States Department of Labor for All Urban Consumers in the Statistical Area, for each year between the date of the Investment and the date on which the offer contained in

the Offer to Purchase is proposed to close ("Adjusted Actual Cash Investment"). Actual Cash Investment shall equal the sum of the cash required for closing the Owner's purchase and any cash subsequently invested by the Owner in improvements to the Development or to cover an operating deficit of the Development. Actual Cash Investment shall not include any amount expended for capital improvements if such expenditure was paid with funds from a contingency reserve or Sinking Fund account of the Development. For the purpose of this Chapter, a Sinking Fund is any interest-bearing account into which the interest earned is required to be deposited, and from which withdrawal of funds is prohibited until the fund maturity date; plus

(ii) A return on the value of the Owner's Adjusted Actual Cash Investment calculated as follows: the sum of a ten percent (10%) annual return on Actual Total Cash Investment for the twenty-year period following the proposed prepayment Date increased each year by an annual four percent (4%) inflation rate, which sum shall be discounted to present value by a discount rate of ten percent (10%); plus

(iii) The total original principal amount of debt, the proceeds of which were used to finance the cost of constructing the Development or for subsequent improvements to the Development, and which debt is secured by the Development at the time of sale, but not including any debt already incurred for prior purchase of existing improvements or for prior seller take-back financing or for refinancing of existing debt; plus

(iv) The federal and state capital gains tax liability of the Owner actually paid as a result of the sale of the Development pursuant to this Chapter, provided that the Owner and the Qualified Entity shall use good faith efforts and cooperate with

each other to minimize the amount of federal and state capital gains taxes to the extent legally permitted.

(2) The sum of the following amounts:

(i) The Owner's Adjusted Actual Cash Investment in the Development; plus

(ii) A return on the Owner's Adjusted Actual Cash Investment in the Development calculated as follows: an amount equal to ten percent (10%) of Adjusted Actual Cash Investment for each year that the Owner owned the Development, reduced by the amount of the annual dividend permitted by any applicable regulatory agreement or other covenant or condition of public subsidy and received by the Owner, and reduced by any loan proceeds received subsequent to the Owner's purchase, which loan proceeds do not meet the criteria set forth in Section 60.8(i)(1)(i) above. The number calculated pursuant to this Section 60.8(i)(2)(ii) shall not be less than zero; plus,

(iii) The total amount of debt secured by the Development, or which the Owner is obligated to repay from the cash flow generated from operation of the Development, or which is secured against a limited partnership interest or shares of stock in any Owner for which the Development is the sole significant asset, regardless of the use of the proceeds of such debt; provided, however, that such debt shall not include any debt incurred between the effective date of any applicable amendments to the Internal Revenue Code contained in the Economic Recovery Tax Act of 1981 (P.L. 97-34) and the effective date of any applicable amendments to the Internal Revenue Code contained in the Tax Reform Act of 1986 (P.L. 99-514) if either the debt is not required to be repaid directly from cash flow generated by operation of the Development, or the failure to repay the debt will not give rise to the right to

foreclose on the real property comprising the Development; plus

(iv) The federal and state capital gains tax liability of the Owner actually paid as a result of the sale of the Development pursuant to this Chapter, provided that the Owner and the Qualified Entity shall use good faith efforts and cooperate with each other to minimize such taxes to the extent legally permitted.

(j) If the Owner accepts an Offer to Purchase from a Qualified Entity pursuant to Section 60.8(h) above, an agreement for purchase and sale of the Development shall be negotiated in good faith between the Owner and the Qualified Entity, and conditioned upon the reasonable amount of time needed to obtain the necessary government approvals and any necessary financing, and shall include the following:

(1) An agreement by the Owner to provide the Qualified Entity with all existing loan documents and any other relevant documents relating to operation of the Development not already provided to the purchasing Qualified Entity, including but not limited to, regulatory agreements containing any Use Restrictions, loan agreements, promissory notes, and deeds of trust, within fifteen (15) days from the date of the signing of the purchase agreement by all the parties;

(2) An agreement by the Qualified Entity to make an earnest money deposit or deposits, in a total amount not to exceed 1% of the purchase price, within five (5) days of executing the agreement for purchase and sale, which, together with accrued interest shall be credited against the purchase price at the close of escrow. The deposit shall be refundable only if the Qualified Entity, after a diligent, good faith effort, fails to remove all inspection and financing contingencies within a reasonable time; and

(3) A statement that the terms and conditions in the purchase agreement, including, but not limited to, the timetables specified in this subsection, may be extended or otherwise amended only by the mutual consent of the Owner and the Qualified Entity.

(k) The Owner shall no longer be subject to the requirements of this Section 60.8 upon submission of a written certification to the Director of Housing, signed by the Owner under penalty of perjury, that any of the following has occurred:

(1) The Owner met all notice and information requirements pursuant to this Chapter and no Offer to Purchase was received from a Qualified Entity within the applicable time period that the Owner was required by Section 60.8(h) above to accept; or

(2) Despite good faith negotiations between the Owner and the Qualified Entity, the parties were unable to agree on the material provisions of the purchase agreement, and no other Qualified Entity made a timely Offer to Purchase that the Owner was required by this Chapter to accept; or

(3) A Qualified Entity that executed a purchase agreement (i) terminated the agreement or was unable to meet the terms of the agreement, (ii) that the Owner exercised due diligence in carrying out the conditions of the purchase agreement, and (iii) that no other Qualified Entity made an Offer to Purchase that the Owner was required by this Chapter to accept.

(l) An Owner, at any time prior to the Conversion Date, may decide not to Prepay, terminate, sell or otherwise transfer the Development and may withdraw the Notice of Intention to Sell, subject to the terms of any accepted Offer to Purchase or executed purchase and sale agreement, and to the offeror's existing statutory

and common law remedies. In such event, the Owner shall give written notice of such decision by United States Mail, first class, certified, return receipt requested, to the Director of Housing, to all Tenant Households in the Assisted Housing Development, and to any offeror Qualified Entity. However, at any time that the Owner again decides to sell, or otherwise transfer the Development or any portion thereof, the fourteen-month notice period and the other requirements of this Section 60.8 shall apply to such sale or transfer.

(m) Prior to the close of escrow, an Owner selling or transferring a Development, or any portion thereof, to any purchaser, shall certify under penalty of perjury that the Owner has complied with all provisions of this Chapter. A copy of the certification shall be sent to the Director of Housing by United States Mail, first class, certified, return receipt requested, ten days prior to close of escrow. The certification shall be recorded and shall contain a legal description of the property on which the Development is located and, to the extent consistent with the practices of the Office of the Recorder, shall be indexed to the name of the Owner as grantor.

(n) As a condition precedent to the acquisition of any Development by a Qualified Entity pursuant to this Chapter, the Qualified Entity shall enter into a regulatory agreement, deed restriction or similar agreement, in form and substance satisfactory to the Director of Housing, which agreement shall be recorded in the official records of San Francisco County to ensure that the covenants of the Qualified Entity made to comply with this Chapter shall run with the land and be binding on the Qualified Entity and

its successors and assigns. The Qualified Entity shall submit to the Owner and the Director of Housing, concurrently with the delivery of an Offer to Purchase under Section 60.8(g), its proposed form of regulatory agreement or other enforcement mechanism for review by the Director of Housing.

SEC. 60.9. EXPIRATION OF RENT SUBSIDY CONTRACTS; DISCLOSURE.

(a) At least twelve (12) months prior to the expiration of the full term of any rent subsidy contract described in Section 60.4 above, the Owner shall give notice by United States Mail, first class, certified, return receipt requested, of such impending termination to the Director of Housing, Director of City Planning, and to all Tenant Households in the Development. Such notice shall contain the information required by Section 60.5 (b)(1) and (2), and the following information:

(1) The date of expiration of any such rent subsidy contract and a brief description of the Owner's plans for the Development subsequent to expiration;

(2) The number of Subsidized Rental Units in the Development prior to expiration of any such rent subsidy contract, and the number of Subsidized Rental Units occupied by Tenant Households with persons age 62 or older, with disabled persons, and with persons under age 18;

(3) The current rent schedule for the Development;

(4) A brief description of any contacts concerning expiration the Owner has made with any governmental agency, Tenant Household residing in the Development, or other interested person;

(5) The anticipated rent schedule after expiration of such rent subsidy contract; and

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(6) A statement by the Owner signed under penalty of perjury certifying the accuracy of the notice as of the date the Notice was given.

(b) No later than ninety (90) days after the receipt of the notice specified in Section 60.9(a) above, the Director of Planning shall request that the Planning Commission hold a hearing on the impending expiration to determine: (i) what action the City can take to prevent the loss of the rent subsidy for the affected units; and (ii) whether the Owner has initiated or is likely to initiate a diligent, good faith effort to obtain a renewal or extension of the expiring contract. The Director of Planning shall give notice of such hearing to the Owner, the affected Tenant Households, the San Francisco Housing Authority ("SFHA"), the regional office of HUD, and any other person or entity who submits a written request for such notice to the Director of Housing or Director of Planning.

(c) If an Assisted Housing Development contains Subsidized Rental Units subsidized under more than one project-based rent subsidy contract, and all such rent subsidy contracts for the Assisted Housing Development do not expire on the same date, as part of any offer to a Tenant Household already residing in the Development to permit such Tenant Household to move into a different Unit in the Development, the Owner shall disclose to such Tenant Household in writing the expiration dates for the rent subsidy contracts applicable to both Units. The Owner shall also send to the Director of Housing and to the Executive Director of SFHA, by United States mail, return receipt requested, a copy of such offer and such disclosure.

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SEC. 60.10. ADMINISTRATIVE RELIEF.

(a) An Owner or Qualified Entity may petition directly the Housing Preservation Appeals Board ("Appeals Board"), in the same manner as the procedure for appeals specified in Sec. 60.12 (d)-(h) below, for relief from strict compliance with the provisions of this Chapter. Such relief shall be granted only as specified in this Section 60.10, and only upon a finding by the Appeals Board, after a hearing, that the Owner or Qualified Entity has shown by a preponderance of the evidence that relief is warranted.

(b) An Owner may be relieved of the obligation to comply with the eighteen-month notice requirement if imposed by Section 60.5 on the following grounds:

(1) Due to the date this Chapter was enacted, compliance with an applicable provision of federal or state law renders the Owner unable to comply both with such federal or state law, and with the eighteen-month notice requirement; or

(2) Compliance with the eighteen-month notice requirement would subject the Owner's interest in the Development to substantial danger of extinguishment by foreclosure or sale in lieu of foreclosure.

Any order of relief entered pursuant to this Section 60.10(b) shall reduce the eighteen-month notice period only to the extent necessary to avoid the situations described in Section 60.10(b)(1) and (2) above.

(c) An Owner may be relieved of the obligation to comply with the requirement to pay relocation benefits, imposed by Section 60.7, on the following grounds:

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(1) Payment of the full amount of such benefits will render the Owner Insolvent. For the purpose of this Section 60.10(c), Insolvent shall mean that the value of the liabilities of the Owner exceeds the value of the Owner's assets.

Any order of relief entered pursuant to this Section 60.10(c) shall reduce the amount of relocation benefits due only to the extent necessary to avoid rendering the Owner Insolvent.

(d) An Owner may petition the Appeals Board for an adjustment in the method of calculating the Fair Return Price. Such relief shall be granted only to the extent necessary to avoid a result which is Confiscatory. For the purpose of this Chapter, Confiscatory shall mean that the Owner does not receive a fair return on Actual Cash Investment or Adjusted Actual Cash Investment as a result of sale to a Qualified Entity pursuant to Section 60.8 above. Any order of relief pursuant to this Section 60.10(d) shall increase the Fair Return Price only to the extent necessary to avoid a Confiscatory result.

(e) An Owner may petition the Appeals Board for reduction of the fourteen-month notice requirement specified by Section 60.8(e). Such reduction may be granted on the following grounds:

(1) Due to the date this Chapter was enacted, compliance with applicable provision of federal or state law renders the Owner unable to comply both with such federal or state law, and with the fourteen-month notice requirement; or

(2) Compliance with the fourteen-month notice requirement would subject the Owner's interest in the Development to substantial danger of extinguishment by foreclosure or sale in lieu of foreclosure.

Any order of relief pursuant to this Section 60.10(e) shall reduce the fourteen-month notice period only to the extent necessary to avoid the situations described in Section 60.10(e)(1) and (2) above.

(f) A Qualified Entity may petition the Appeals Board for relief from the requirements of Section 60.8(b)(2) if maintaining the Rents at the levels specified in Section 60.8(b)(2) renders an Assisted Housing Development not financially feasible because the Development's Operating Revenue will not equal or exceed the sum of Operating Expenses. A Qualified Entity purchaser shall be entitled to remove one or more Units from the rent and occupancy requirements as the Appeals Board finds is necessary for the Development to become economically feasible; provided, however, that once the Development is again economically feasible, the purchasing Qualified Entity shall cause the next available Units to be Units subject to the rent and occupancy requirements until achieving the number and mix of restricted Units in the Development required by Section 60.8(b)(2).

For the purpose of this Section 60.10(f), Operating Revenues shall include rents, subsidy payments received on behalf of Tenant Households, interest on contingency reserve or other reserve funds not designated to be a Sinking Fund, and receipts from operation of laundry, parking or other services. Operating Expenses shall include all costs and expenses related to operation of the Development, including debt service on any loans required to be paid currently, but not including any debt incurred for purchase of the Development pursuant to this Chapter unless the proceeds of such debt were necessary to pay the Fair Return Price, or were used to pay the cost of capital improvements or rehabilitation necessary to

bring the Development into compliance with applicable building, electrical, fire, plumbing, and similar code standards.

(g) Any Owner may petition the Appeals Board for a reduction in the twelve-month notice requirement specified by Section 60.9(a). Such reduction shall be granted on the following grounds:

(1) Due to the date this Chapter was enacted, compliance with applicable provisions of federal or state law renders the Owner unable to comply both with such federal or state law, and with the twelve-month notice requirement; or

(2) Compliance with the twelve-month (12) notice requirement would subject the Owner's interest in the Development to substantial danger of extinguishment by foreclosure or sale in lieu of foreclosure.

Any order of relief pursuant to this Section 60.10(g) shall reduce the twelve-month notice period only to the extent necessary to avoid the situations described in Section 60.10(g)(1) and (2) above.

SEC. 60.11. CIVIL ACTIONS.

(a) Whenever an Owner (i) fails to give the Notice of Intent to Prepay and/or Terminate as provided in this Chapter; (ii) fails to comply with the provisions of this Chapter concerning purchase by a Qualified Entity; (iii) attempts to Convert or Converts Subsidized Rental Units in violation of this Chapter; or (iv) otherwise fails to comply with the provisions of this Chapter, the City, any Tenant Household of the affected Development, any affected Qualified Entity, or the Tenant Association of the Development may institute a civil proceeding for injunctive relief to restrain the Owner from

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such violation and/or money damages, or for any other remedy available at law or in equity.

(b) Upon proof that the Owner has willfully or in bad faith violated any provision of this Chapter, any affected Tenant Household shall receive a judgment of treble the Tenant Household's actual damages.

(c) In any action in which the City is a party, which action is brought to enforce the provisions of this Chapter, upon proof that the Owner willfully or in bad faith Converted a Subsidized Rental Unit, such Owner shall be required to pay to the City a sum at least equal to the cost of constructing or acquiring a Replacement Unit for each Subsidized Rental Unit unlawfully Converted, including, for construction, the per-unit cost of land acquisition. Any money received under this Section 60.11(c) shall be used for the development or preservation of housing units affordable to and to be occupied by Very Low and Low Income Households.

(d) The prevailing party in any civil action brought under this Section 60.11 shall be entitled to recover reasonable attorney's fees and costs. Reasonable fees of attorneys of the City's Office of City Attorney shall be based on the fees regularly charged by private attorneys with an equivalent number of years of professional experience in the subject matter areas of the law for which the City Attorney's services were rendered and who practice in the City in law firms with approximately the same number of attorneys as employed by the Office of City Attorney.

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SEC. 60.12. CIVIL PENALTIES.

(a) Any Owner who negligently or intentionally violates any provision of this Chapter shall be liable for a civil penalty not to exceed five thousand dollars ($5,000) for each separate violation. Such violations shall include, but are not limited to, the making of a false statement or representation in any notice or other document required by this Chapter.

(b) Any interested person may petition the Director of Housing to investigate an alleged violation of this Chapter. Upon receipt of such petition, or upon his or her own motion, the Director of Housing shall give the Owner twenty-one (21) days' written notice by United States Mail, first class, certified, return receipt requested, of the date, time and location of a hearing before the Director of Housing, and the nature of the alleged violation. The Director of Housing shall hear the evidence and shall determine whether any violation of this Chapter has occurred, and if so, whether such violation was negligent or intentional. The Director of Housing shall issue a written decision with findings in support of the decision that state the nature of any violations and any appropriate penalties.

(c) The Owner or any other party to the hearing may appeal the decision of the Director of Housing to the Housing Preservation Appeals Board ("Appeals Board") by filing with the Appeals Board a written notice of appeal within thirty days of the date of the decision by the Director of Housing. The notice of appeal shall state the grounds for objection to the decision of the Director of Housing.

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(d) The Appeals Board shall hold a public hearing on the appeal within forty-five (45) days of the filing of the notice of appeal and shall decide whether to reverse or affirm the decision of the Director of Housing within fifteen (15) days of the hearing. The Appeals Board shall give the Owner and any Person requesting notice at least fourteen days' notice of the date, time and location of the hearing.

(e) The Appeals Board shall adopt written findings in support of its decision.

(f) The decision of the Appeals Board shall be a final order reviewable by any court of competent jurisdiction.

(g) The Appeals Board shall adopt rules governing conduct of its hearings. Such rules shall provide that parties shall have the right to be present, to be represented by counsel, to present evidence and to cross-examine witnesses.

(h) The Appeals Board shall have three members appointed by the Mayor.

(i) Any penalties collected pursuant to this Section 60.12 shall be used as provided in Section 60.11(c) above.

SEC. 60.13. RULES AND REGULATIONS.

The Mayor is authorized to promulgate any rules or regulations necessary or appropriate to carry out the purposes and requirements of this ordinance.

///

SEC. 60.14. SEVERABILITY.

If any provision or clause of this Chapter, or the application thereof to any person or circumstance, is held to be unconstitutional or to be otherwise invalid by any count of competent jurisdiction, such invalidity shall not affect other chapter provisions. Clauses of this Chapter are declared to be severable.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Ellen Braverman
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
September 17, 1990	§	September 24, 1990
Ayes: Supervisors Alioto Britt Hallinan Hsieh Kennedy Maher Nelder Walker Ward	§	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Kennedy Maher Nelder Walker
Absent: Supervisors Gonzalez Hongisto	§	Absent: Supervisors Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
97-90-16

OCT 3 1990
Date Approved

Mayor

BOARD OF SUPERVISORS

AS AMENDED IN COMMITTEE 9/19/90

FILE NO. 101-90-10

ORDINANCE NO. 333-90

RO #90056 SA #12

(Government Funding)

APPROPRIATING $18,927,166 FOR VARIOUS CAPITAL IMPROVEMENT PROJECT, FIRE DEPARTMENT, ACADEMY OF SCIENCES, FINE ARTS MUSEUMS, ASIAN ART MUSEUM, LAGUNA HONDA HOSPITAL AND PUBLIC WORKS, FOR FISCAL YEAR 1990-91; PLACING $6,756,266 ON RESERVE.

9/19/90 e

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
05-613	1989 Earthquake Bond		
55-5500 (053595)	Proceeds - Sales of Bonds	$ 18,927,166	
31-03-00	Fire Department		
20-2030 (530261)	Capital Improvement Project		
Project 100-01	Various Fire Stations		$ 6,712,240
60-00-00	Academy of Sciences		
20-2030 (400036)	Capital Improvement Project		
Project 150-01	Various Buildings Improvement		2,924,730
61-00-00	Fine Arts Museums		
20-2030 (401265)	Capital Improvement Project		
Project 160-01	Legion of Honor Improvement		5,072,732
62-00-00	Asian Art Museum		
20-2030 (402115)	Capital Improvement Project		
Project 170-01	Asian Art Museum Improvement		1,316,732
85-00-00	Laguna Honda Hospital		
20-2030 (420270)	Capital Improvement Project		
Project 180-01	Various Areas - Improvements		1,775,732
90-02-00	Public Works - Architecture		
20-2030 (772152)	Capital Improvement Project		
Project 190-01	Seismic Hazard		1,125,000
	Total	$18,927,166	$18,927,166

e 9/19/90

Section 2. Funds are placed on reserve as follows: $4,388,266 for architectural and engineering design work for the Fine Arts Museums, Asian Art Museum and the Academy of Sciences; and $2,368,000 for construction work at the California Palace of the Legion of Honor, to be released by the Finance Committee.

(See File 101-90-10 for departmental approvals.)

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

FUNDS AVAILABLE:

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

CONTROLLER

DOCUMENTS DEPT.
NOV 1 1990

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
September 24, 1990	§	October 1, 1990
	§	
	§	
Ayes: Supervisors Alioto Britt Ward	§	Ayes: Supervisors Alioto Britt
Gonzalez Hallinan Hongisto Hsieh	§	Gonzalez Hallinan Hongisto Hsieh
Kennedy Maher Nelder Walker	§	Maher Nelder Walker Ward
	§	
	§	Absent: Supervisors Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-90-10

OCT 5 1990
Date Approved

Mayor

AS AMENDED IN COMMITTEE 9/19/90

FILE NO. 101-90-11

ORDINANCE NO. 334-90

RO #90058 SA #21

(Government Funding)

APPROPRIATING $3,628,420 FOR CAPITAL IMPROVEMENT PROJECT (DPH PLANNING/PROJECT CONTROL AND VARIOUS BUILDINGS/FACILITIES IMPROVEMENT), PUBLIC WORKS FOR FISCAL YEAR 1990-91; PLACING $500,000 ON RESERVE.

9/19/90

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
05-615	1990 Earthquake Safety Bond		
55-5500 (054569)	Proceeds - Sale of Bonds	$ 3,628,420	
90-02-00	Public Works - Architecture		
20-2030 (772194)	Capital Improvement Project		
Project 002-01	DPH Planning/Project Control		$ 608,080
Project 100-01	Various Building/Facilities		
	Improvements		3,020,340
	Total	$ 3,628,420	$ 3,628,420

9/19/90

Section 2. Funds in the amount of $500,000 are place on reserve pending provision of consultant information on the consultant to perform a structural analysis of City Hall to be released by the Finance Committee.
(See File 101-90-11 for departmental approvals.)

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

CONTROLLER

Board of Supervisors, San Francisco

Passed for Second Reading

September 24, 1990

Ayes: Supervisors Alioto Britt Ward Gonzalez Hallinan Hongisto Hsieh Kennedy Maher Nelder Walker

Finally Passed

October 1, 1990

Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Maher Nelder Walker Ward

Absent: Supervisors Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Judith Tarpley
Clerk

OCT 5 1990
Date Approved

Mayor

File No.
101-90-11

DOCUMENTS DEPT.
NOV 1 1990

FILE NO. 65-90-4 ORDINANCE NO. 335-90

(Lease Amendment)

APPROVING SIXTH AMENDMENT TO THE STADIUM LEASE BETWEEN THE CITY AND COUNTY OF SAN FRANCISCO BY AND THROUGH ITS RECREATION AND PARK COMMISSION AND THE SAN FRANCISCO FORTY NINERS.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Sixth Amendment to the Stadium Lease between the City and County of San Francisco by and through its Recreation and Park Commission ("Commission") and the San Francisco Forty Niners, adopted by the Commission on August 16, 1990, Resolution No. 15799, a true and correct copy of which is on file with the Clerk of this Board, is hereby approved.

RECOMMENDED:

Mary E. Burns, General Manager
Recreation and Park Department

Shauna Marie Rose, Secretary
Recreation and Park Commission

APPROVED AS TO FORM:
Louise H. Renne, City Attorney

Mara E. Rosales, Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading

September 24, 1990

Ayes: Supervisors Alioto Britt [redacted] Hongisto Hsieh Walker Ward
Excused: Supervisor Gonzalez
Noes: Supervisors Hallinan Kennedy Nelder

Absent: Supervisors Maher

Finally Passed

October 1, 1990

Ayes: Supervisors Alioto [redacted] Hallinan Hongisto Hsieh Maher Ward
Excused: Supervisor Gonzalez
Noes: Supervisors Nelder

Absent: Supervisors Britt Kennedy Walker

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
65-90-4

OCT 5 1990
Date Approved

Mayor

DOCUMENTS DEPT.
NOV 1 1990
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. ____ ORDINANCE NO. ____

9/19/90

harmless the University of California, the provision shall be ~~in~~

substantial conformance with the following:

FILE NO. 97-90-40 ORDINANCE NO. 226-90

9/19/90

(Public Health Contracts)

AMENDING CHAPTER 19A, ARTICLE I OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION 19A.23 TO PERMIT THE DEPARTMENT OF PUBLIC HEALTH TO ENTER INTO AGREEMENTS WITH THE REGENTS OF THE UNIVERSITY OF CALIFORNIA ENABLING THE DEPARTMENT OF PUBLIC HEALTH TO PARTICIPATE IN CLINICAL SERVICES AND TRAINING PROJECTS.

NOTE: ALL LANGUAGE IS NEW.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 19A, Article I of the San Francisco Administrative Code is hereby amended by adding Section 19A.23 thereof to read as follows:

Section 19A.23. AGREEMENTS WITH THE REGENTS OF THE UNIVERSITY OF CALIFORNIA FOR CLINICAL SERVICES AND TRAINING PROJECTS. (a) The Director Public Health, with the approval of the Health Commission, is hereby authorized to enter into and execute written agreements on behalf of the City and County of San Francisco with the University of California to participate in projects related to clinical service and health care provider training in order to benefit the programs provided the residents of San Francisco. Said agreements shall be substantially in conformance with the form of agreements on file with the Clerk of the Board of Supervisors in File No. 97-90-40.

(b) If said agreements contain a provision in which the City and County of San Francisco agrees, indemnifies or holds harmless the University of California, the provision shall be ~~in substantial conformance with~~ the following:

> University shall defend, indemnify, and hold the CITY, its officers, employees and agents harmless from and against any and all liability, loss, expense, attorneys' fees or claims, for injury or damages, arising out of the performance of this Agreement but only in proportion to and to the extent such liability, loss, expense, attorneys' fees or claims, for injury or damages are caused by or result from the negligent or intentional acts or omissions of University, its officers, agents or employees.
>
> City shall defend, indemnify, and hold the University, its officers, employees and agents harmless from and against any and all liability, loss, expense, attorneys' fees or claims, for injury or damages, arising out of the performance of this Agreement but only in proportion to and to the extent such liability, loss, expense, attorneys' fees or claims, for injury or damages are caused by or result from the negligent or intentional acts or omissions of CITY, its officers, agents or employees.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By Paula Jesson
Deputy City Attorney

94591

NOV 1 1990

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
September 24, 1990	§	October 1, 1990
	§	
	§	
Ayes: Supervisors Alioto Britt Ward Gonzalez Hallinan Hongisto Hsieh Kennedy Maher Nelder Walker	§	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Maher Nelder Walker Ward
	§	
	§	Absent: Supervisors Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

OCT 5 1990

Clerk

File No.
97-90-40

Date Approved

Mayor

FILE NO. 97-90-42

ORDINANCE NO. 337-90

RO #90051

(Revolving Fund)

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE, ARTICLE XV, CASH REVOLVING FUND, BY ADDING SECTION 10.160-1 TO ESTABLISH A SEPARATE RECREATION AND PARK COUNTY FAIR REVOLVING FUND IN THE AMOUNT OF $10,000.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code, Article XV, is hereby amended by adding Section 10.160-1 thereto to read as follows:

Section 10.160-1 Cash Revolving Funds - Recreation and Park Department; San Francisco County Fair $10,000.

RECOMMEND:

Mary E. Burns, General Manager
Recreation and Park Department

Shauna Marie Rose, Secretary
Recreation and Park Commission

APPROVED AS TO FORM:

Louise H. Renne, City Attorney

FUNDS AVAILABLE:

Controller

January 1,1990 - December 31, 1990

02-225 42-03-02

Source: Proj. 999 Account 101

To: Proj. 999 Account 105

Funds subject to availability from the State.

AUG 28 1990

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
September 24, 1990	October 1, 1990
Ayes: Supervisors Alioto Britt Hallinan Hongisto Hsieh Kennedy Nelder Walker Ward	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Maher Nelder Walker Ward
Absent: Supervisors Gonzalez Maher	Absent: Supervisors Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

OCT 5 1990

Clerk

File No.
97-90-42

Date Approved

Mayor

DOCUMENTS DEPT.
NOV 1 1990
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 101-90-9

ORDINANCE NO. 338-90

RO #90055 SA #19

(GOVERNMENT FUNDING)

APPROPRIATING $14,000,000 FOR CAPITAL IMPROVEMENT PROJECT (SAN ANDREAS PLANT EXPANSION), WATER DEPARTMENT FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
32-885	1985 Water Revenue Bonds		
G.L. 301 (007252)	Unreserved Fund Balance	$14,000,000	
47-00-00	Water Department		
20-2030 (692756)	Capital Improvement Project		
Project 101-02	San Andreas Plant Expansion		$14,000,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Samuel D. Yockey
CONTROLLER

ac(1035ADM/33)

Board of Supervisors, San Francisco

Passed for Second Reading

September 24, 1990

Ayes: Supervisors Alioto Britt Ward Gonzalez Hallinan Hongisto Hsieh Kennedy Maher Nelder Walker

Finally Passed

October 1, 1990

Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Maher Nelder Walker Ward

Absent: Supervisors Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No. 101-90-9

OCT. 5 1990
Date Approved

_____
Mayor

AS AMENDED IN COMMITTEE 9/19/90

FILE NO. 101-90-13

ORDINANCE NO. 339-90

RO #90062 SA #34

(GOVERNMENT FUNDING)

APPROPRIATING $220,000 FOR PROFESSIONAL & SPECIAL SERVICES, AND INCREASING $220,000 FOR INTERDEPARTMENTAL RECOVERY, CONTROLLER'S OFFICE, FOR FISCAL YEAR 1990-91; PLACING $220,000 ON RESERVE.

e 9/19/90

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
09-03-01	Controller's Office		
39-3900 (943050)	Interdepartmental Recovery	$ 220,000	
10-1001 (310243)	Professional & Special Services	_____	$ 220,000
	Total	$ 220,000	$ 220,000

Section 2. Funds in the amount of $220,000 are placed on reserve pending submission of consultant data to be released by the Finance Committee.

e 9/19/90

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Samuel D. Yockey
CONTROLLER

ac(1035ADM/36)

Board of Supervisors, San Francisco

Passed for Second Reading

September 24, 1990

Ayes: Supervisors Alioto Britt Ward Gonzalez Hallinan Hongisto Hsieh Kennedy Maher Nelder Walker

Finally Passed

October 1, 1990

Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Maher Nelder Walker Ward

Absent: Supervisors Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-90-13

OCT 5 1990
Date Approved

Mayor

DOCUMENTS DEPT.
NOV 1 1990
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FILE NO. 101-90-16

ORDINANCE NO. 340-90

FURTHER AMENDED 9/26/90

FILE NO. 101-90-16

ORDINANCE NO. 340-90

(Government Funding)

APPROPRIATING $1,500,000 FOR CAPITAL IMPROVEMENT PROJECT (PURCHASE OF BUILDING), SOCIAL SERVICES FOR FISCAL YEAR 1990-91; PLACING $455,996 ON RESERVE.

e 9/26/90

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L. 491 (000026)	Unappropriated Revenue Retained		
Subsidiary 000037	Homeless Capital Reserve	$1,500,000	
20-2030 (640060)	Capital Improvement Project		
Project	Purchase of Building and ~~Tenant~~ Tenant Relocation Costs		$1,500,000

e 9/26/90

Section 2. Funds in the amount of $455,996 for purchase costs at 1001 Polk Street are placed on reserve to be released by the Finance Committee.

APPROVED AS TO FORM:

LOUISE H. RENNE, CITY ATTORNEY

BY: CRAIG M. McCABE
Deputy City Attorney

FUNDS AVAILABLE:

CONTROLLER

1892S/3

Passed for Second Reading

Board of Supervisors, San Francisco

October 1, 1990

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, [redacted], Kennedy, Maher, Nelder, Walker, Ward.

Noes: Supervisors HSIEH

[redacted]

John L. Taylor Clerk

OCT 1 1 1990

101-90-16 File No.

OCT 1 1 1990 Approved

Read Second Time and Finally Passed

Board of Supervisors, San Francisco

October 9, 1990

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, [redacted], [redacted], Kennedy, Maher, Nelder, Walker, Ward.

Noes: Supervisors HSIEH

Absent: Supervisors HONGISTO

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John L. Taylor Clerk

Mayor

FILE NO. 151 90 4

ORDINANCE NO. 341-90

c. The Department of Social Services has agreed to manage the provision of shelter and board and other services to these

AMENDED IN COMMITTEE 9/26/90

FILE NO. 153-90-4

ORDINANCE NO. 341-90

[Accepting Red Cross and FEMA Funds for Homeless]

AUTHORIZING DEPARTMENT OF SOCIAL SERVICES TO ACCEPT AND EXPEND RED CROSS GRANT, FEMA FUNDING AND REMAINDER OF RED CROSS GRANT TO REDEVELOPMENT AGENCY TO PROVIDE SHELTER, FOOD AND OTHER ASSISTANCE FOR THE HOMELESS; PLACING $2,865,000 IN ESTIMATED FEMA FUNDING AND $3,244,925 IN RED CROSS FUNDS ON RESERVE.

9/26/90 e

NOTE: This ordinance is entirely new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings.

a. The Loma Prieta earthquake resulted in an alarming number of people losing their shelter, food and other assistance.

b. These conditions have resulted in a significant number of men, women and children in San Francisco who are in urgent need of shelter, food and other assistance.

c. The Red Cross has offered to grant to the City and County of San Francisco approximately $5 million to assist these individuals and families and the Federal Emergency Assistance Agency ("FEMA") has also committed itself to provide funds to assist these individuals and families.

d. The Red Cross has already made an interim grant to the San Francisco Redevelopment Agency of which approximately $196,000 shall be transfered to the City and County of San Francisco on or about October 2, 1990.

e. The Department of Social Services is the City agency most familiar with the shelter and services required and has the ability to respond quickly to the needs of these persons.

/ / /

/ / /

f. The Department of Social Services has agreed to manage the provision of shelter and board and other services to these individuals and families.

Section 2. The Board of Supervisors of the City and County of San Francisco does hereby express its gratitude for and accepts all available funds from the Red Cross totalling approximately $5 million and all funds ultimately approved from FEMA to provide this essential assistance and authorizes the San Francisco Department of Social Services to enter into such contracts and grant agreements as required by the Red Cross and FEMA to obtain such funding, including hold harmless provisions contained therein.

Section 3. The Board of Supervisors of the City and County of San Francisco does hereby accept from the San Francisco Redevelopment Agency the remainder of Red Cross funds previously granted to them for this purpose totalling approximately $196,000 as of October 2, 1990.

Section 4. All amounts so received for the purpose of providing assistance for the homeless are hereby appropriated and shall be expended and administered by the Department of Social Services, and the Department is hereby authorized to enter into all necessary contracts to provide such assistance, including but not limited to, the lease and purchase of the buildings at 1001 Polk Street and 525 Fifth Street, the rehabilitation of those structures for this purpose, the relocation of tenants, the provision of food and other services necessary to shelter, feed, stabilize, and rehabilitate these individual and families as required.

9/26/90 e

Section 5. Funds appropriated in this ordinance for acceptance from FEMA estimated to be $2,865,000 for rehabilitation and operating costs at 1001 Polk Street are placed on reserve to be released by the Finance Committee.

9/26/90
e

Section 6. Funds appropriated in this ordinance for acceptance from the Red Cross estimated to be $3,244,925 for purchase, rehabilitation, operating and food costs at 1001 Polk Street are placed on reserve to be released by the Finance Committee.

APPROVED AS TO FORM:

LOUISE H. RENNE, CITY ATTORNEY

Mara E. Gonzalez

Deputy City Attorney

Passed for Second Reading

Board of Supervisors, San Francisco

October 1, 1990

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, [redacted], Kennedy, Maher, Nelder, Walker, Ward.

Noes: Supervisors HSIEH

[redacted]

John L. Taylor Clerk

OCT 11 1990

153-90-4

File No.

OCT 11 1990

Approved

Read Second Time and Finally Passed

Board of Supervisors, San Francisco

October 9, 1990

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, [redacted], [redacted], Kennedy, Maher, Nelder, Walker, Ward.

Noes: Supervisors HSIEH

Absent: Supervisors HONGISTO

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John L. Taylor Clerk

Mayor

FILE NO. 101-90-19

ORDINANCE NO. 342-90

RO # 90078 SA #38

(GOVERNMENT FUNDING)

APPROPRIATING $226,090 FOR PROFESSIONAL SPECIAL SERVICE CONTRACTS (DISPUTE RESOLUTION PROGRAM), PERMANENT SALARIES, MAYOR'S OFFICE OF COMMUNITY DEVELOPMENT, FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
02-513	Dispute Resolution Fund		
Project 001-01	Dispute Resolution Program - MOCD Administration		
70-7002 (049478)	Court Filing Fees	$ 226,090	
25-17-00	Mayor's Office of Community Development		
01-0010 (323808)	Permanent Salaries		$ 20,545
10-1001 (323808)	Professional Service Contracts		
Project 001-02	Community Boards		105,545
Project 001-03	Calif. Community Dispute Services		90,000
Project 001-04	California Lawyers for the Arts		10,000
	Total	$ 226,090	$ 226,090

APPROVED AS TO FORM:
LOUIS H. RENNE, CITY ATTORNEY

Mara E. Rosales
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Samuel D. Jackey, Jr.
CONTROLLER

129-WPPPGEN-(1)

Passed for Second Reading

Board of Supervisors, San Francisco

October 9, 1990

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, [redacted], Hsieh, Kennedy, Maher, Nelder, Walker, Ward.

[redacted]

Absent: Supervisors Hongisto

John L. Taylor Clerk

101-90-19 File No.

OCT 17 1990 Approved

Read Second Time and Finally Passed

Board of Supervisors, San Francisco

October 15, 1990

Ayes: Supervisors [redacted], Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, [redacted]

Noes: Supervisors

Absent: Supervisors Alioto Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John L. Taylor Clerk

Mayor

DOCUMENTS DEPT.
NOV 1 1990

FILE NO. 101-90-14

ORDINANCE NO. 343-90

RO #90058 SA #33

(Government Funding)

APPROPRIATING $120,000 FOR TEMPORARY SALARIES, MANDATORY FRINGE BENEFITS, PROFESSIONAL SERVICES, INCREASING $120,000 FOR INTERDEPARTMENTAL RECOVERY, CITY ATTORNEY FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
09-099	Work Order Fund		
03-04-00	City Attorney's Office		
39-3900 (942763)	Interdepartmental Recovery	$ 120,000	
02-0200 (302125)	Temporary Salaries		$ 46,500
04-0600	Mandatory Fringe Benefits		13,500
10-1001	Professional Services		60,000
	Total	$ 120,000	$ 120,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

CONTROLLER

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
September 24, 1990	October 1, 1990
Ayes: Supervisors Alioto Britt Ward Gonzalez Hallinan Hongisto Hsieh Kennedy Maher Nelder Walker	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Maher Nelder Walker Ward
	Absent: Supervisors Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-90-14

OCT 12 1990

Date Approved

Mayor

FILE NO. 101-90-15

ORDINANCE NO. 344-90

RO #90057 SA #32

(GOVERNMENT FUNDING)

APPROPRIATING $35,000 FOR TEMPORARY SALARIES AND MANDATORY FRINGE BENEFITS AND INCREASING $35,000 FOR INTERDEPARTMENTAL RECOVERY, CHIEF ADMINISTRATIVE OFFICER FOR FISCAL YEAR 1990-91; RETROACTIVE TO JULY 1, 1990,

e 9/19/90

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
02-301	Yerba Buena Center		
70-04-01	Chief Administrative Officer		
39-3900 (743043)	Interdepartment Recovery	$ 35,000	
Project 606-01	Construction Project-Moscone Center		
02-0200 (420133)	Temporary Salaries		$ 34,300
04-0600	Mandatory Fringe Benefits		700
	Total	$ 35,000	$ 35,000

9-14-90

Section 2. This ordinance shall be retroactive to July 1, 1990.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

[signature]
CONTROLLER

ac(1035ADM/34)

Board of Supervisors, San Francisco

Passed for Second Reading
September 24, 1990

Ayes: Supervisors Alioto Britt Ward Gonzalez Hallinan Hongisto Hsieh Kennedy Maher Nelder Walker

Finally Passed
October 1, 1990

Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Maher Nelder Walker Ward

Absent: Supervisors Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

[signature]
Clerk

File No. 101-90-15

OCT 12 1990
Date Approved

[signature]
Mayor

FILE NO. 121-90-5 ORDINANCE NO. 345-90

(Salaries and Wages)

AMENDING PART II, CHAPTER VIII, SECTION 2402 OF THE SAN FRANCISCO MUNICIPAL CODE (POLICE CODE) TO PROVIDE FOR COMPENSATION TO MEMBERS OF THE ADVISORY COMMITTEE OF STREET ARTISTS AND CRAFTSMEN EXAMINERS

Note: Additions or substitutions are indicated by underlining; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter VIII, San Francisco Municipal Code (Police Code) is hereby amended by amending Section 2402 thereof to read as follows:

Section 2402. Compensation of Advisory Committee. Pursuant to the provisions of Section 2 of Proposition "L," the compensation of the appointive members of the Advisory Committee of Street Artists and Craftsmen Examiners shall be as follows:

(a) A member shall receive ((thirty-five dollars ($35.00))) fifty dollars ($50.00) for each meeting of the Advisory Committee actually attended by said member for fifty per cent (50%) of each meeting of four or more hours.

(b) A member shall receive ((thirty-five dollars ($35.00))) fifty dollars ($50.00) for each visit to the studio or workshop of an applicant for a street artist certificate for the purpose of viewing the applicant's facilities and verifying that the art or craft item for which the applicant seeks certification is his or her own creation or those of his or her family unit, or for the performance of such other function as shall from time to time be deemed appropriate by the Arts Commission.

(c) In no event shall the aggregate amount paid each member exceed ((thirty (30))) twenty-five (25) meetings/studio visits or ((one thousand fifty dollars ($1,050))) one thousand two hundred fifty dollars ($1,250) per year.

APPROVED AS TO FORM:

LOUISE RENNE
City Attorney

Maureen M Morley
Deputy City Attorney

Supervisor Walker

DOCUMENTS DEPT.
NOV 1

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
September 24, 1990	§	October 1, 1990
	§	
	§	
Ayes: Supervisors Alioto Britt Hallinan Hongisto Hsieh Kennedy Nelder Walker Ward	§	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Maher Nelder Walker Ward
	§	
Absent: Supervisors Gonzalez Maher	§	Absent: Supervisors Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
121-90-5

OCT 12 1990
Date Approved

Mayor

FILE NO. 127-90-5.1 ORDINANCE NO. 346-90

[Business/Payroll Expense Tax Changes]

AMENDING ARTICLE 12-B OF PART III OF THE SAN FRANCISCO MUNICIPAL CODE (BUSINESS TAX ORDINANCE) BY AMENDING SECTION 1007 THEREOF TO INCREASE THE REGISTRATION FEE FROM $75 to $150 TO PROVIDE FOR UNIFORM EXPIRATION DATE OF REGISTRATION CERTIFICATES, FOR UNIFORM APPLICATION DATES AND FOR PRORATION OF FEES, AND CLARIFYING THE STATUS OF PERSONS WHO HERETOFORE PAID OR BECAME LIABLE FOR THE CALENDAR YEAR 1990 REGISTRATION FEE REQUIRED BY SECTION 1007; OPERATIVE DATE.

NOTE: Additional material is indicated by <u>underlining</u>; deletions are indicated by ((double parenthesis)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Article 12-B of Part III of the San Francisco Municipal Code (Business Tax Ordinance) is hereby amended by amending Section 1007 thereof, to read as follows:

SEC. 1007. REGISTRATION CERTIFICATE.

(((a) Every person engaging or about to engage in any business upon which a tax is imposed by the provisions of this ordinance shall immediately register with the Tax Collector on a form provided therefor. Persons engaged in such business must so register not later than 15 days after the date which tax becomes effective and is imposed as set forth in Section 1003(a) hereof, but such privilege or registration after the date of imposition of such tax shall not relieve any person from the obligation of payment of tax on and after the date of imposition thereof, regardless of registration. Such registration shall set forth the name under which such person transacts or intends to transact business, the location of the registrant's place or places of business and such other information to facilitate the collection of the tax as the Tax Collector may require. The registration shall be signed by the owner if a natural person; in case of an association or partnership, by a member or partner; in case of a corporation, by a person authorized by the corporation to sign the registration.

(b) The Tax Collector shall within ten days of such registration determine whether the registrant has paid all outstanding business, payroll or other unsecured taxes or license fees to the City and County. If the Tax Collector determines that the registrant complies with this requirement, the Tax Collector shall issue, upon payment of a $75 registration fee, a certificate of authority to each registrant together with a duplicate thereof for each additional place of business of such registrant. The certificate shall be valid for one year and shall be renewed by the Tax Collector upon determination that the registrant has paid the preceding year's tax obligations.

If there is a dispute regarding outstanding business, payroll or other unsecured taxes or license fees allegedly owed by the registrant to the City and County that is pending in administrative proceedings before the Tax Collector, then the registrant shall not be denied the issuance of a registration certificate by the Tax Collector due to the dispute while the dispute is pending in such administrative proceedings.

(c) Each certificate and duplicate shall state the place of business to which it is applicable and shall be prominently displayed therein. Such certificate shall be nonassignable and non-transferrable and shall be surrendered immediately to the Tax Collector upon the cessation of business at the location named or upon its sale or transfer.

/ / /

DOCUMENTS DEPT
NOV 1 1990

(e) If there are any taxes, license fees or other fees due and unpaid at the time of receipt of the registration form, the Tax Collector shall so inform the registrant in writing within ten business days of the receipt of said registration form setting forth the amount owned, the tax, license or fee for which the amount is owed, the dates incurred and any other information the Tax Collector deems necessary fully to apprise the taxpayer of what taxes, licenses or other fees are owed.))

(a) No person subject to tax under Articles 12-A or 12-B of Part III of San Francisco Municipal Code shall engage in business within the City and County of San Francisco unless said person shall have obtained a current registration certificate issued by the Tax Collector in accordance with the provisions of this section. Failure to obtain a registration certificate shall not absolve any person from payment of any tax or license imposed by the City and County of San Francisco. For calendar year 1991 and thereafter, except as provided in subsection (b), the annual fee for obtaining a registration certificate shall be $150.00, payable in advance.

(b) Upon commencing any new business within the City and County of San Francisco, each person subject to tax shall apply to the Tax Collector, on a form prescribed by the Tax Collector, for a registration certificate; said application shall be accompanied by said person's registration fee for the remainder of the calendar year in which said person commences a new business. A person shall have 15 days after commencing business operations in which to apply for the registration certificate, and to pay the registration fee. Notwithstanding the amount of the annual registration fee set forth in subdivision (a), for persons who first commence business operations after January 1 of the year, the registration fee will be pro-rated as follows: For persons commencing business between

January 1 and March 31, the registration fee shall be 100% of the annual fee; for persons commencing business between April 1 and June 30, the pro-rated registration fee shall be 75% of the annual fee; for persons commencing business between July 1 and September 30, the pro-rated registration fee shall be 50% of the annual fee; and for persons commencing business between October 1 and December 31, the pro-rated registration fee shall be 25% of the annual fee.

(c) All persons other than new business covered by subsection (b) annually shall, in the month of October, apply to the Tax Collector, on a form prescribed by the Tax Collector, for renewal of its annual registration certificate; said application shall be accompanied by the full amount of the applicant's annual registration fee for the next succeeding calendar year.

(d) Promptly after receiving each properly completed application and registration fee, the Tax Collector shall conduct an investigation to determine whether the applicant has paid all outstanding business taxes, payroll expense taxes and/or other taxes and license fees due to the City and County of San Francisco. If the Tax Collector determines that all such taxes and licenses have been paid, the Tax Collector shall issue a registration certificate to the applicant, together with a duplicate registration certificate for each place of business maintained by the applicant, and (1) in the case of persons making timely application under subsection (c), the registration certificate shall be issued not later than November 30; and (2) in all other cases of timely application, the registration certificate shall be issued within ten days after the Tax Collector receives the application and registration fee. Each registration certificate issued hereunder shall expire on December 31 of the calendar year for which it is issued, and shall be valid only during the period for which it is issued. Such registration

certificate shall be nonassignable and non-tranferrable and shall surrendered immediately to the Tax Collector upon the cessation of business at the location named or upon its sale or transfer.

(e) If the Tax Collector determines that any taxes or license fees remain unpaid at the time the application is received, the Tax Collector shall give written notification of that fact to the applicant, and shall further set forth the amount owed, the tax license or fee for which the amount is owed, the dates incurred and any other information the Tax Collector deems necessary fully to apprise the applicant of what taxes, licenses or other fees are owed. A registration certificate shall not be issued unless and until the applicant has paid all taxes and license fees for which said applicant is liable; provided, however that if there is a dispute regarding outstanding business, payroll or other unsecured taxes or license fees allegedly owned by the registrant to the City and County that is pending in administrative proceedings before the Tax Collector, then the registrant shall not be denied the issuance of a registration certificate by the Tax Collector due to the dispute while the dispute is pending in such administrative proceedings.

(f) Each annual registration certificate, and each duplicate thereof, shall state the place of business to which it is applicable and shall be prominently displayed therein. Such registration certificate shall set forth the name under which such person transacts or intends to transact business, the location of the registrant's place or places of business and such other information to facilitate the collection of the tax as the Tax Collector may require. The registration shall be signed by the owner if a natural person; in case of an association or partnership, by a member or partner; in case of a corporation, by a person authorized by the corporation to sign the registration.

Section 2. Persons who were engaged in business within the City and County of San Francisco between January 1, 1990 and June 30, 1990, and who thereby became liable for, or paid, the $200.00 registration fee required by a former version of Section 1007(b) of Article 12-B of Part III of the San Francisco Municipal Code shall not be entitled to a tax refund by virtue of this ordinance or Ordinance No. 295-90, but said $200.00 registration fee shall be the only registration fee required of such persons for calendar year 1990. No credit shall be allowed against 1990 business taxes or 1990 payroll expense taxes by virtue of registration fees for calendar year 1990.

Section 3. This ordinance shall become effective upon passage, as provided in Section 2.304 of the Charter.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore R. Lakey
Deputy City Attorney

Passed for Second Reading

Board of Supervisors, San Francisco

October 9, 1990

Ayes: Supervisors Alioto, [redacted], Gonzalez, Hallinan, [redacted], [redacted], Kennedy, [redacted], [redacted], Walker, Ward.

Noes: Supervisors Britt Hongisto Hsieh Maher Nelder

[redacted]

John L. Taylor Clerk

127-90-5.1 File No.

OCT 17 1990 Approved

Read Second Time and Finally Passed

Board of Supervisors, San Francisco

October 15, 1990

Ayes: Supervisors Alioto, [redacted], Gonzalez, Hallinan, [redacted], [redacted], Kennedy, [redacted], [redacted], Walker, Ward.

Noes: Supervisors Britt Hongisto Hsieh Maher Nelder

[redacted]

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John L. Taylor Clerk

Mayor

AS AMENDED IN COMMITTEE [illegible]

FILE NO. 101-90-5

ORDINANCE NO. 347-90

RO #90040 SA #3

(GOVERNMENT FUNDING)

APPROPRIATING $3,000,000 FOR CAPITAL IMPROVEMENT PROJECT (RICHMOND TRANSPORT DESIGN) DEPARTMENT OF PUBLIC WORKS FOR FISCAL YEAR 1990-91; PLACING $620,000 ON RESERVE.

9/26/90

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
35-895	Bond Fund		
90-05-00	Department of Public Works, Clean Water Program		
50-5500 (035006)	Proceeds Sale of Bonds	$3,000,000	
Project 006-00	Richmond Transport Design		
20-2030 (543313)	Capital Improvement Project		$3,000,000

Section 2. Funds in the amount of $620,000 for the outside Geotechnical and Tunnel Design Consultant contracts are placed on reserve pending submission of the consultants' MBE/WBE status, hourly rates and projected hours of work to be released by the Finance Committee.

e 9/26/90

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
[signature]
CONTROLLER

ac(ADM1035/31)

Passed for Second Reading

Board of Supervisors, San Francisco

October 1, 1990

Ayes: Supervisors Alioto, [redacted], Gonzalez, Hallinan, Hongisto, Hsieh, [redacted], Maher, Nelder, Walker, [redacted].

[redacted]

Absent: Supervisors BRITT KENNEDY WARD

[signature] Clerk

OCT 12 1990

101-90-5
File No.

OCT 12 1990
Approved

Read Second Time and Finally Passed

Board of Supervisors, San Francisco

October 9, 1990

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, [redacted], Hsieh, Kennedy, Maher, Nelder, Walker, Ward.

[redacted]

Absent: Supervisors HONGISTO

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

[signature] Clerk

[signature]
Mayor

AMENDMENT OF THE WHOLE 9/26/90

FILE NO. 101-90-12 ORDINANCE NO. 348-90

RO 190060 SA 126

(Government Funding)

APPROPRIATING $1,740,500 FOR PURCHASE OF LAND, CHIEF ADMINISTRATIVE OFFICER FOR FISCAL YEAR 1990-1991; ADOPTING AND INCORPORATING BY REFERENCE FINDINGS REGARDING THE I-280 TRANSFER CONCEPT PROGRAM.

Be it ordained by the People of the City and County of San Francisco:

Section 1. This Board of Supervisors has reviewed and considered the I-280 Transfer Concept Program Environmental Impact Report and has adopted findings in Resolution 965-85. The Board has also reviewed and considered and hereby adopts and incorporates by reference updated findings set forth in the September 21, 1990 document entitled CEQA Findings, I-280 Transfer Concept Program, Embarcadero Roadway Project, on file with the Clerk of the Board of Supervisors.

Section 2. Funds are hereby appropriated for Fiscal Year 1990-1991 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
02-182	Downtown Park Fee Fund		
29-02-00	City Planning		
Project 999-00	Downtown Park Fee		
90-7081 (050336)	Commission Fees	$1,740,500	
70-06-00	Chief Administrative Office		
20-2030 ( )	Capital Improvement Project		
Project 600-01	Embarcadero Park		$1,740,500

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: John D. Roseberry
Deputy City Attorney

FUNDS AVAILABLE

Samuel D. Yorkey
Controller

Passed for Second Reading

Board of Supervisors, San Francisco

October 1, 1990

Ayes: Supervisors [redacted], [redacted], Gonzalez, Hallinan, Hongisto, Hsieh, [redacted], Maher, Nelder, Walker, [redacted].

[redacted]

Absent: Supervisors ALIOTO BRITT KENNEDY WARD

John Taylor
Clerk

OCT 12 1990
OCT 21 1990
OCT 18 1990

101-90-12
File No.

Approved

Read Second Time and Finally Passed

Board of Supervisors, San Francisco

October 9, 1990

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, [redacted], Hsieh, Kennedy, Maher, Nelder, Walker, Ward.

[redacted]

Absent: Supervisors HONGISTO

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John Taylor
Clerk

Mayor

DOCUMENTS DEPT.
NOV 1

FILE NO. 65-90-6.1 ORDINANCE NO. 347-90

(Lease of Property)

APPROVING AMENDMENT TO LEASE AGREEMENT BETWEEN PIER 39 LIMITED PARTNERSHIP AND THE CITY AND COUNTY OF SAN FRANCISCO, OPERATING BY AND THROUGH THE SAN FRANCISCO PORT COMMISSION; ADOPTING FINDINGS ON MITIGATION MEASURES AND ALTERNATIVE PROJECTS; DETERMINING TO PROCEED WITH THE PROJECT BASED ON IMPLEMENTATION OF MITIGATION MEASURES AND OVERRIDING CONSIDERATIONS.

BE IT ORDAINED by the People of the City and County of San Francisco:

Section 1. This Board of Supervisors hereby finds that:

A. The Charter of the City and County of San Francisco authorizes the Port Commission to enter into lease agreements for use of properties under its jurisdiction.

B. Pursuant to Section 7.402-1 of the City Charter, this Board of Supervisors has the authority to review and approve by ordinance amendments and modifications to leases which are for a term greater than ten years or which have anticipated revenue in excess of one million dollars.

C. Pursuant to Section VI-D of that certain Agreement dated October 31, 1979, amending that certain Lease Agreement dated August 3, 1977 (the "Lease"), by and between North Point Center, Inc., as Tenant, and the City and County of San Francisco, operating by and through the San Francisco Port Commission, as Landlord ("Port"), the Port has the right to approve a change in use or to add a use under the Lease.

D. Pier 39 Limited Partnership (successor to North Point Center, Inc.) ("Pier 39") has requested that they be given approval to add an aquarium known as the Underwater World Aquarium at Pier 39 (the "Project") as an attraction on the demised premises by a lease amendment ("Third Amendment").

E. The Port will benefit from the Third Amendment due to the fact that the minimum and percentage rents due the Port will be greater than under the economic rent formula currently prevailing under the Lease.

F. The City Planning Commission, by its Motion No. 11720 dated July 20, 1989, has certified the Final Environmental Impact Report, 86.674E, ("Final EIR") for the Project and has made specific findings regarding significant effects on the environment of the Project.

G. The Office of Environmental Review of the Department of City Planning has considered subsequent modifications to the Project, including design changes and the removal of portions of Pier 43 as an additional element of the Project. Based upon, but not limited to, the addendum consisting of a memorandum to the file dated June 6, 1990 ("Addendum No. 1"), the Board concurs and finds that there are no significant environmental impacts resulting from such additions, modifications and changes and that such additions, modifications and changes have further mitigated impacts shown in the Final EIR, including impacts on views previously found to be significant.

NOV 1

H. The Office of Environmental Review has considered whether there has been a substantial change in circumstances surrounding the Project resulting from the closure of the Embarcadero Freeway and the ongoing planning for the Embarcadero Roadway. Based upon, but not limited to, the addendum consisting of a memorandum to the file dated September 11, 1990 ("Addendum No. 2"), the Board concurs and finds that such circumstances do not substantially alter any of the assumptions or conclusions in the Final EIR, that no changes in circumstances have occurred which are sufficiently substantial or which involve additional environmental effects which would require further environmental review, and that no further environmental review is required.

I. This Board of Supervisors concurs with the City Planning Commission and finds that the Project complies with the priority policies set forth in the City Planning Code Section 101.1 for the reasons set forth in City Planning Commission Motion No. 11726, dated August 3, 1989.

J. The San Francisco Bay Conservation and Development Commission ("BCDC") approved issuance of a permit for the Project at its meeting on September 6, 1990.

K. The Port Commission has reviewed and approved the Final EIR for the Project as supplemented by Addendum No. 1 and Addendum No. 2, and approved the requested Third Amendment to the Lease at the Port Commission meeting on September 12, 1990.

L. This Board of Supervisors by Resolution No. 827-90 adopted and incorporated the findings of the Final EIR for the

Project and found and determined that the Project will have a significant impact on the environment.

Section 2. This Board of Supervisors hereby agrees with, adopts and incorporates by reference the findings made by the City Planning Commission in its Motion No. 11726 dated August 3, 1989, specifically including Findings Nos. 12 - Mitigation of Environmental Impacts, 13 - Mitigation of Other Impacts, 14 - Significant Impacts Outside the Control of the Project Sponsor - 15 - Infeasibility of Alternatives and Mitigation Measures - 16 - regarding the benefits of the Project and 17 - regarding the balancing of benefits with unavoidable adverse effects on the environment and the benefits constituting overriding considerations justifying approval, except that this Board of Supervisors adopts Findings Nos. 14 and 15 subject to this Board's findings regarding the infeasibility of certain mitigation measures as provided below. In addition, this Board of Supervisors makes the following findings:

A. This Board of Supervisors concurs with the City Planning Commission and ~~BCDC and~~ therefore finds that further mitigation of visual effects is infeasible because such effects would likely exist at any waterfront location available and suitable for the Project facility.

B. This Board of Supervisors concurs with the City Planning Commission and therefore finds that further mitigation of cumulative, area-wide traffic impacts described in the Final EIR by implementing the one-way couplet system using Bay and North Point Streets is infeasible at this time, based upon the

recommendation of the City Planning Commission, because the one-way couplet is not clearly in the best interests of the area and the City due to increased traffic volumes on streets in the neighborhood causing potential adverse effects on the quality of life. This Board of Supervisors reserves the right to reconsider this finding should circumstances in the area change.

C. After balancing unavoidable significant and other adverse effects on the environment and the benefits of the Project, this Board of Supervisors concurs with the City Planning Commission and [redacted] therefore finds that the benefits of the Project outweigh any unavoidable adverse effects on the environment, which are hereby found to be acceptable, and that the social, economic, recreational, educational and environmental benefits of the Project constitute overriding considerations justifying approval of the Project and the Third Amendment to the Lease.

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Section 3. This Board of Supervisors hereby approves the Third Amendment to the Lease, a copy of which is on file with the Clerk of the Board.

RECOMMENDED:
PORT COMMISSION

By _____
MICHAEL P. HUERTA
Executive Director

APPROVED AS TO FORM
LOUISE H. RENNE, CITY ATTORNEY

By _____
Deputy City Attorney

Passed for Second Reading

Board of Supervisors, San Francisco

October 9, 1990

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, [redacted], Ward.

Noes: Supervisors Walker

[redacted]

John L. Taylor Clerk

OCT 17 1990

65-90-6.1 OCT 22 1990

File No. Approved

Read Second Time and Finally Passed

Board of Supervisors, San Francisco

October 15, 1990

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, [redacted], [redacted].

Noes: Supervisors Walker

Absent: Supervisors Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John L. Taylor Clerk

Mayor

AS AMENDED IN COMMITTEE 10/3/90

FILE NO. 97-90-41 ORDINANCE NO. 350-90

(Friends of the Delinquency Prevention Commission Special Fund)

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION 10.117-104 THERETO ESTABLISHING A DELINQUENCY PREVENTION COMMISSION SPECIAL FUND TO BE CALLED THE FRIENDS OF THE DELINQUENCY PREVENTION COMMISSION FOR THE ACCEPTANCE AND EXPENDITURES OF MONIES RECEIVED TO FACILITATE SPECIAL PROGRAMS OF THE COMMISSION ON DELINQUENCY PREVENTION.

Note: This entire section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 10 of the San Francisco Administrative Code is hereby amended by adding Section 10.117-104 thereto, to read as follows:

SEC. 10.117-104. Friends of the Delinquency Prevention Commission Special Fund.

(a) Establishment of Fund. There is hereby established a special fund for the purpose of receiving all donations of money which may be offered to the City and County to support the activities of the Delinquency Prevention Commission. Said special fund shall be known and designated as the Friends of the Delinquency Prevention Commission Special Fund to be administered by the San Francisco Delinquency Prevention Commission.

(b) Acceptance of Gifts. All donations of money and other gifts which may be offered to the Friends of the Delinquency Prevention Commission Special Fund are hereby accepted for such purposes. Any grants, gifts and bequests from private sources for this purpose shall be deposited into said special fund.

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(c) Expenditure of Monies. The monies in this fund shall be expended, in accordance with fiscal provisions of the Charter, and for projects preauthorized and approved by the Commission, solely for the purposes of funding special projects of the Delinquency Prevention Commission of the City and County of San Francisco. The Friends of the Delinquency Prevention Commission shall submit, as a part of the City's annual budget process, an annual budget to accompany the annual budget submitted by the Delinquency Prevention Commission.

(d) Accumulation of Monies in Fund. The balance remaining in the Friends of the Delinquency Prevention Commission Special Fund at the close of any fiscal year shall be deemed to have been provided for a specific purpose within the meaning of Charter Section 6.306 and shall be carried forward and accumulated in said fund for the purposes recited herein.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Theodore R. Lakey
Deputy City Attorney

Passed for Second Reading

Board of Supervisors, San Francisco

October 9, 1990

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward.

[redacted]

[redacted]

John Taylor Clerk

97-90-41 File No.

OCT 17 1990 Approved

Read Second Time and Finally Passed

Board of Supervisors, San Francisco

October 15, 1990

Ayes: Supervisors [redacted], Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, [redacted]

[redacted]

Absent: Supervisors Alioto Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John Taylor Clerk

Mayor

FILE NO. 97-90-43 ORDINANCE NO. 351-90

(Hold Harmless Agreements)

AMENDING THE ADMINISTRATIVE CODE BY ADDING SECTION 1.38 THERETO AUTHORIZING THE HEALTH COMMISSION TO EXECUTE HOLD HARMLESS AGREEMENTS WITH SAN MATEO COUNTY WHEN CONTRACTING FOR CERTAIN MENTAL HEALTH SERVICES.

Note: The entire section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by adding Section 1.38 thereto to read as follows:

SEC. 1.38 Hold Harmless Agreements Between the Health Commission and San Mateo County. The Health Commission is hereby authorized to enter into hold harmless agreements with San Mateo County when entering into contracts for 24-hour skilled nursing facility and day services to mentally impaired clients. The agreement shall be in substantially the form set forth in File No. 97-90-43.

(See File for departmental approvals.)

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

Paula Jesson
Deputy City Attorney

1018H

Passed for Second Reading

Board of Supervisors, San Francisco

October 9, 1990

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward.

~~Noes: Supervisors~~

~~Absent: Supervisors~~

John Taylor Clerk

97-90-43 File No.

OCT 17 1990 Approved

Read Second Time and Finally Passed

Board of Supervisors, San Francisco

October 15, 1990

Ayes: Supervisors ~~Alioto~~, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, ~~Ward~~.

~~Noes: Supervisors~~

Absent: Supervisors Alioto Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John Taylor Clerk

Mayor

FURTHER AMENDED IN COMMITTEE 10/3/90

As Amended in Board 10/9/90

FILE NO. 101-90-17

ORDINANCE NO. 353-90

RO #90069 SA #39

(Government Funding)

ADJUSTING REVENUE AND EXPENDITURE APPROPRIATIONS FOR VARIOUS DEPARTMENTS OF THE GENERAL FUND, WELFARE ASSISTANCE AND ADMINISTRATION FUND, TOBACCO TAX FUND, RENT ARBITRATION BOARD FUND, WORK ORDER FUND, MUNICIPAL RAILWAY OPERATING FUND, HOSPITAL OPERATING FUND AND LAGUNA HONDA OPERATING FUND, CREATING SIXTEEN POSITIONS, DELETING NINETEEN POSITIONS, REFLECTING BUDGET ADJUSTMENTS FOR FISCAL YEAR 1990-91 RESULTING FROM STATE BUDGET REDUCTIONS, PLACING ON RESERVE $1,728,631 FOR PERMANENT SALARIES, OVERTIME AND RELATED MANDATORY FRINGE BENEFITS, COMMUNITY MENTAL HEALTH SERVICES.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

(Note:
Debit entries represent increases to revenues and decreases to expenditures.
Credit entries represent decreases to revenues and increases to expenditures.)

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	**General Fund**		
G.L. 905 (000026)	**Unappropriated Revenue Retained**	$ 328,746	
Sub. 000006	General Reserve	~~$ 874,345~~	
G.L. 401	**Revenue Appropriations**		
10-00-00	**Superior Court**		
70-7001 (040881)	Court Fees	$ 120,000	
11-00-00	**Municipal Court**		
70-7001 (040709)	Court Fees	$ 135,000	
45-00-00	**Social Services**		
62-6206 (040824)	Adoption Program Administration		$ 6,152
63-6329	Inspection of Homes For Aged and Child-State		10,521
63-6338	Adult Assistance - State Administrative Assistance	34,856	
83-01-00	**Public Health - Administration**		
62-6220 (053744)	County Health Services Fund - State		$ 4,803
62-6221 (053769)	Medically Indigent Adult Block Grant		35,532

10/3/90

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
87-22-00	**CMHS Business and Operations Support**		
60-6074 (048041)	Community Mental Health Services		$5,929,107
62-6220	County Health Services Fund - State		1,807
62-6221	Medically Indigent Adult Block Grant		310,144
62-6221 (040915)	Medically Indigent Adult Block Grant		10,176
99-00-00	**General Fund Unallocated**		
51-5120 (119990)	Business Registration Tax	$3,700,000	
51-5130	Real Property Transfer Tax	1,200,000	
60-6041	Trial Court Funding		2,500,000
G.L. 402	**Revenue Transfers**		
99-00-00	General Fund Unallocated		
99-9990 (224022)	Revenue Transfer In From #01-292; 83-01-02	14,726	
99-9990 (224063)	Revenue Transfer In from 01-292; 83-01-01	3,351	
99-9990 (160499)	Revenue Transfer In from 01-291-45-00-00		1,052,147
49-4900 (905646)	Revenue Transfer Out To #02-012; 65-00-00	622,047	
G.L. 440	Expenditures		
05-00-00	**Public Defender**		
01-0010 (304113)	Permanent Salaries		$ 45,000
04-0699	Mandatory Fringe Savings		15,000
10-01-00	**Superior Court**		
02-0400 (316083)	Fees & Other Compensation	$ 256,171	
22-2200	Equipment Purchase	40,496	
11-00-00	**Municipal Court**		
10-1200 (317016)	Other Current Services	$ 111,652	
22-2200	Equipment Purchase	5,050	
23-2310	Equipment Lease/Purchase	164,965	

BOARD OF SUPERVISORS

NOV 1

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
13-00-00	**Adult Probation**		
01-0010 (320507)	Permanent Salaries		$ 306,215
04-0699	Mandatory Fringe Savings		95,628
31-03-00	**Fire - Firefighters**		
01-0020 (530071)	Permanent Salaries - Uniform	$ 220,000	
04-0602	Retirement	200,200	
36-03-00	**Parking & Traffic Commission**		
01-0010 (353250)	Permanent Salaries	$ 233,180	
04-0600	Fringe Benefits	53,048	
41-00-00	**Public Library**		
01-0010 (615005)	Permanent Salaries	$ 8,200	
04-0600	Fringe Benefits	1,866	
37-3710	Services of Other Departments - Recreation and Park - Gardener	30,316	
42-03-00	**Recreation and Park**		
01-0030 (620377)	Permanent Salaries - Craft	$ 14,573	
04-0600	Fringe Benefits	3,315	
04-0699	Mandatory Fringe Savings	$ 995	
45-00-00	**Social Services**		
45-00-00	Family and Children Services		
02-0140 (640037)	Differential Pay	$ 7,470	
04-0600	Fringe Benefits	1,699	
30-3040	Services of Other Departments - Medical Service	22,500	
45-00-00	Adult Services		
10-1000 (640045)	Professional and Special Services	$ 10,000	
45-00-00	Gain Program		
01-0010 (640094)	Permanent Salaries	$ 80,236	
04-0600	Fringe Benefits	18,254	
45-00-00	Central Management Program		

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-0010 (647008)	Permanent Salaries	$ 4,511	
04-0600	Fringe Benefits	1,026	
45-00-00	General Assistance Program		
01-0010 (647032)	Permanent Salaries	$ 12,343	
04-600	Fringe Benefits	2,808	
45-00-00	Food Stamp Program		
01-0010 (647040)	Permanent Salaries	$ 12,343	
04-0600	Fringe Benefits	2,808	
45-00-00	DSS - IRAP		
01-0010 (647750)	Permanent Salaries	$ 42,438	
04-0600	Fringe Benefits	9,655	
75-00-00	**Electricity - Telecommunications**		
12-1230 (425124)	Telephone	$ 17,595	
75-00-00	Public Safety Wire Communication Network		
01-0030 (425504)	Permanent Salaries - Craft	$ 5,080	
02-0200	Temporary Salaries	40,422	
04-0600	Fringe Benefits	1,156	
11-1300	Materials and Supplies	3,000	
75-00-00	Administration and Support		
04-0699 (425546)	Mandatory Fringe Savings	$ 15,000	
34-3400	Services of Other Departments - ISD	3,000	
83-01-01	**Public Health - Central Office**		
83-01-01	Administration		
01-0010 (441006)	Permanent Salaries	$ 73,049	
04-0600	Fringe Benefits	16,619	
04-0699	Mandatory Fringe Savings	5,333	
30-3890	Services of Other Departments - Miscellaneous Departments	20,000	

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
83-02-01	Support Services		
01-0010 (734285)	Permanent Salaries	$ 7,332	
04-0600	Fringe Benefits	1,668	
10-1000	Professional & Special Services	1,548	
10-1010	Medical Service Contracts		$ 271,108
10-1030	Telephone	3,072	
11-1300	Materials and Supplies	7,929	
30-3500	Services of Other Departments - Reproduction	351	
83-02-20	Epidemiology		
01-0010 (734293)	Permanent Salaries	$ 46,912	
01-0050	Permanent Salaries - Nurses	26,982	
04-0600	Fringe Benefits	19,798	
83-02-40	Health Care Centers		
01-0010 (734301)	Permanent Salaries	$ 195,657	
01-0050	Permanent Salaries - Nurses	227,643	
04-0600	Fringe Benefits	107,426	
04-0699	Mandatory Fringe Savings		$ 3,578
04-0710	Health Service - R.N. Dependents	7,452	
10-1010	Medical Service Contracts	30,712	
83-02-50	Maternal and Child Care		
01-0010 (441857)	Permanent Salaries	$ 35,487	
04-0600	Fringe Benefits	9,353	
83-03-01	AIDS Administrative Office		
10-1010 (732388)	Medical Service Contracts	$ 218,039	
83-03-30	AIDS Health Centers		
10-1010 (732453)	Medical Service Contracts	$ 18,211	

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
83-04-01	BEHS Consumer Protection		
01-0010 (734263)	Permanent Salaries	$ 40,637	
04-0600	Fringe Benefits	9,245	
04-0699	Mandatory Fringe Savings	5,423	
83-04-20	BEHS Toxics		
01-0010 (734277)	Permanent Salaries	$ 6,517	
04-0600	Fringe Benefits	1,484	
87-22-00	CMHS - Business and Operation Support		
01-0010 (730366)	Permanent Salaries	$ 70,644	
04-0600	Fringe Benefits	16,072	
10-1010	Medical Service Contracts	$ 5,000	
10-1200	Other Current Services	20,000	
10-1230	Telephone	22,000	
11-1300	Materials and Supplies	6,000	
30-3390	Services of Other Departments - Controller, Financial Services	24,052	
30-3890	Services of Other Departments - Miscellaneous Departments	16,700	
87-23-00	CMHS Children Services		
01-0010 (730374)	Permanent Salaries	$ 41,683	
04-0600	Fringe Benefits	9,524	
87-24-00	CMHS Geriatrics		
01-0010 (730390)	Permanent Salaries	$ 76,215	
04-0600	Fringe Benefits	17,339	
87-25-00	CMHS Adult Acute		
01-0020 (730416)	Permanent Salaries	$ 38,355	
04-0600	Fringe Benefits	8,726	
87-26-00	CMHS Adult Community Services		
10-1010 (730515)	Medical Service Contracts	330,000	
30-3890 (730515)	Services of Other Departments - Misc.	60,000	

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
~~87-26-07~~	~~Center for Special Problems~~		
~~01-0010 (733907)~~	~~Permanent Salaries~~	~~$ 44,400~~	
~~04-0600~~	~~Mandatory Fringe Benefits~~	~~10,101~~	
87-28-70	Substance Abuse		
01-0010 (732172)	Permanent Salaries	$ 85,905	
04-0600	Fringe Benefits	19,543	
48-4700	Contribution Transfers		
48-4700 (841601)	Contribution Transfer Out to 31-001 Municipal Railway Operating Fund	$2,515,000	
48-4700 (876789)	Contribution Transfer Out To 36-001 Hospital Operating Fund		$1,600,870
48-4700 (859330)	Contribution Transfer Out to 37-001 Laguna Honda Operating Fund		219,946
	Project Expenditures		
45-00-00	**Social Services**		
Project 118-01	Aid to Homeless - Phase II		
20-2010 (648915)	Program Project Budget	$ 75,000	
	Grand Total General Fund	$12,417,734	$12,417,734
01-291	**Welfare Assistance and Administration Fund**		
G.L. 401	Revenue Appropriations		
45-00-00	**Social Services**		
63-6313 (041442)	AFDC - Federal		$ 615,372
63-6314	AFDC - State		497,520
63-6343	Medical Program - State	$ 78,735	
63-6345	Title XX - Federal Administration		285,126
63-6346	Food Stamp Program - Federal		$ 170,152
63-6347	Food Stamp Program - State		225,924
63-6355	Refugee Assistance - Federal	$ 484,277	
63-6399	Miscellaneous Subventions	178,935	
49-4900 (840041)	Revenue Transfer Out To 01-001 General Fund Unallocated	$1,052,147	
	Total - Welfare Assistance and Administration	$1,794,094	$1,794,094

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-292	**Tobacco Tax Fund**		
G.L. 440	Expenditures		
83-01-02	DPH Administration		
Project 003-02	AB 75 Hospital Services - Non-County Access		
10-1010 (734343)	Medical Service Contracts	$ 18,759	
Project 007-02	Salaries - Prop 99/AB 75		
04-0699 (734343)	Mandatory Fringe Savings		$ 682
49-4900 (904441)	Revenue Transfer Out To #01-001; 83-01-02		14,726
49-4900 (904482)	Revenue Transfer Out to 01-001 General Fund Unallocated		3,351
	Total - Tobacco Tax Fund	$ 18,759	$ 18,759
02-012 **65-00-00**	**Rent Arbitration Board Fund** **Rent Board**		
G.L. 903 (008854)	Use of Surplus		$ 27,953
70-7071 (058461)	Rent Arbitration Fees	$ 650,000	
99-9990 (225227)	Revenue Transfer In From 01-001; 65-00-00		622,047
	Total - Rent Arbitration Board Fund	$ 650,000	$ 650,000
09-099	**Work Order Fund**		
G.L. 440	Expenditures		
42-03-03	**Rec & Park** - District Parks and Square Maintenance		
01-0010 (372300)	Permanent Salaries	$ 24,060	
04-0600	Fringe Benefits	11,408	
04-0699	Mandatory Fringe Savings	1,137	
39-3900	Interdepartmental Recovery		36,605
	Total Recreation & Park	$ 36,605	$ 36,605

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
83-01-01	**Public Health - Admin Services**		
01-001 (734355)	Permanent Salaries	$ 48,880	
04-0600	Fringe Benefits	11,120	
39-3900 (942698)	Interdepartmental Expenditure Recovery		$ 60,000
10-1060 (733881)	Data/Word Processing Equip. Maint.	$ 93,000	
39-3900 (942177)	Interdepartmental Expenditure Recovery		$ 93,000
	Total Public Health	$ 153,000	$ 153,000
31-001	**Municipal Railway Operating**		
61-6161 (044388)	MTC - Allocated Revenues	$6,015,000	
98-9701 (196113)	Contribution Transfer In from 01-001 General Fund Unallocated		$2,515,000
G.L. 904 (023010)	Unappropriated Revenue Retained		
Subsidiary 000026	Reserve - Federal Budget Reductions		3,500,000
	Total - Muni Railway Operating	$ 6,015,000	$ 6,015,000
36-001	**Hospital Operating Fund**		
86-00-00	San Francisco General Hospital		
G.L. 401	Revenues		
62-6220	County Health Services Fund - State		$ 9,461
62-6221	Medically Indigent Adult Block Grant		3,016,909
G.L. 405	Contribution Revenues		
98-9701 (199471)	Contribution Transfer In from 01-001 General Fund Unallocated	$1,600,870	
G.L. 440	Expenditures		
86-01-00	SFGH - Acute Operations		
01-0010 (462580)	Permanent Salaries	$ 112,915	
02-0200	Temporary Salaries	73,170	
04-0600	Fringe Benefits	25,688	
10-1010	Medical Service Contracts	475,000	
10-1030	Telephone	50,000	

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
11-1300	Materials and Supplies	148,000	
30-3100	Services of Other Departments - Automotive Maintenance	27,000	
30-3890	Services of Other Departments - MIS Maintenance	41,000	
86-30-00	SFGH - Psychiatric Services		
01-0010 (462598)	Permanent Salaries	$ 61,191	
01-0050	Permanent Salaries - Nurses	51,247	
04-0600	Fringe Benefits	25,580	
86-31-00	SFGH - Methadone Clinic		
01-0010 (462606)	Permanent Salaries	$ 97,318	
04-0600	Fringe Benefits	24,391	
86-41-00	SFGH - Emergency Medical Service		
10-1200 (443010)	Other Current Services	$ 14,851	
14-1460	Rental of Property	175,149	
30-3100	Services of Other Departments - Automotive Maintenance	23,000	
	Total - Hospital Operating	$3,026,370	$3,026,370
37-001	**Laguna Honda Operating Fund**		
G.L. 401	Revenues		
85-00-00	Laguna Honda Hospital		
62-6220 (047316)	County Health Services Fund - State		$246
76-7602	Medi-Cal		657,000
G.L. 405	Contribution Revenue		
98-9701 (180315)	Contribution Transfer In from 01-001 General Fund Unallocated	$ 219,946	
G.L. 440	Expenditures		
01-0010 (448274)	Permanent Salaries	155,000	
04-0699	Mandatory Fringe Savings	45,000	
10-1000	Professional and Special Services	133,000	

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
10-1010	Medical Service Contracts	16,000	
10-1090	Other Contractual Services	36,000	
30-3300	Services of Other Departments - Light, Heat & Power	37,000	
30-3890	Services of Other Departments - Miscellaneous Departments	15,300	
	Total - Laguna Honda Operating	$ 657,246	657,246

Section 2. Funds are hereby appropriated for the creation of sixteen (16) positions and the deletion of nineteen (19) positions by amendment to the Annual Salary Ordinance (Board of Supervisors File No. 102-90-4) as follows:

e 10/3/90

Fund: General Fund

Classification	Title	Rate	Created	Deleted
Department	Public Defender			
2940A	Child Welfare Worker	$1491B1809	2	
Department	Adult Probation			
1424A	Clerk Typist	$ 850B1027	2	
8106A	Legal Process Clerk	887B1073	1	
8434A	Supv. Adult Prob Officer	1580B1918	1	
8440A	Probation Officer	1304B1580	6	
8442A	Senior Probation Officer	1436B1740	2	
	Total - Adult Probation		12	

Classification	Title	Rate	Created	Deleted
Department	Public Health			
1404A	Clerk	$ 818B 989		2
1446W	Secretary II	1027B1243		1
1450W	Executive Secretary I	1125B1362	1	
2220A	Physician	2449B2977		1
2593A	Health Program Coordinator III	1666B2023		1
2806B	Disease Control Investigator	1209B1463		1
2830B	Public Health Nurse	1862B2330		4
2846A	Nutritionist	1573B1909		1
8204A	Institutional Police Officer	1208B1463		1
	Total - Public Health		1	12

Fund: Hospital Operating Fund

Department: San Francisco General Hospital

Classification	Rate	Created	Deleted
1402 A Junior Clerk	$ 745B 899		1
1404 A Clerk	818B 989		1
1424 A Clerk-Typist	850B1027		1
2110 A Medical Records Clerk	961B1163		1
2453 A Supervising Pharmacist	1835B2230		1
2230 A Physician Specialist	2571B3126		1
2586 C Health Worker II	899B1088	1	
2305 A Psychiatric Technician	1078B1304		1
	Total - Hospital Operating Fund	1	7
	Grand Total	16	19

Section 3. Funds shown below are hereby placed in reserve and can only be released upon recommendation of the Finance Committee:

Department 87 Community Mental Health
Division 21 Central Management

Object	Amount
01 Personal Services	$ 105,903
04 Mandatory Fringes	15,915

Division 22 Business & Operations Support

01 Personal Services	$1,276,793
03 Holiday & Overtime	2,541
04 Mandatory Fringe	327,479

BT 10/9

Section 4. This reservation of funds is imposed in order to allow the Director of the Department of Public Health to reconvene the Planning Advisory Group that prepared the 1990 Strategic Plan for Mental Health, Substance Abuse and Forensic Services. The membership of the Planning Advisory Group will be augmented by a representative of the Board of Supervisors, who need not be a member of the the Board, and who shall be appointed by the President of the Board of Supervisors, and shall also include independent, community representation from all ethnic, racial, and sexual minority populations and representation from Public Health consumer groups. The reconvened and augmented Planning Advisory Group shall consider, evaluate and recommend in a written report to the Finance Committee of the Board of Supervisors by December 1, 1990, how the Department of Public Health's Division of Mental Health, Substance Abuse and Forensic Services can best provide programs and services in light of anticipated further reductions in federal and state funding for mental health, substance abuse and forensic services in fiscal year 1991-92.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

_____
CONTROLLER

CIVIL SERVICE COMMISSION:

BY: John J. Walsh FK
GENERAL MANAGER, PERSONNEL

90-WPPSPGEN

Passed for Second Reading

Board of Supervisors, San Francisco

October 9, 1990

Ayes: Supervisors Alioto, [redacted], Gonzalez, Hallinan, [redacted], Kennedy, [redacted], Walker, Ward.

Noes: Supervisors Britt Hongisto Hsieh Maher Nelder

[redacted]

John L. Taylor Clerk

OCT 17 1990

101-90-17
File No.

OCT 17 1990
Approved

Read Second Time and Finally Passed

Board of Supervisors, San Francisco

October 15, 1990

Ayes: Supervisors Alioto, [redacted], Gonzalez, Hallinan, [redacted], Kennedy, [redacted], Walker, Ward.

Noes: Supervisors Britt Hongisto Hsieh Maher Nelder

[redacted]

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John L. Taylor Clerk

Mayor

NOV 1

FURTHER AMENDED IN COMMITTEE
10/3/90

FILE NO. 102-90-4

ORDINANCE NO. 353-90

PUBLIC EMPLOYMENT

SAL.ORD.AMEND.NO. 3

AMENDING ORDINANCE NO. 288-90 (ANNUAL SALARY ORDINANCE, 1990-91) REFLECTING THE DELETION OF NINETEEN POSITIONS AND THE ADDITION OF SIXTEEN POSITIONS AT VARIOUS DEPARTMENTS.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated sections and items of Ordinance No. 288-90 (Annual Salary Ordinance, 1990-91) are hereby amended so that the same shall read as follows:

(Amend-ment)	No. Pos.	Class & Item No.	Class & Title		Compensation Schedule
		Dept.:	05 Public Defender		
		Division:	00 Public Defender		
		Section:	00 Public Defender		
		Program:	1504 Criminal and Special Defense		
		Fund:	01001 General Fund		
		Index:	304113 Criminal Defense - GF		
		Proj/Phase:	000/00 Unassigned Title		
		Object:	001 Permanent Salaries-Miscellaneous		
2 added	2	2940 A	Child Welfare Worker	Z,SC	$1491B1809
		Dept.:	13 Adult Probation		
		Division:	01 General		
		Section:	00 General		
		Program:	1603 Adult Probation Supervision		
		Fund:	01001 General Fund		
		Index:	320507 Prob. Community Services-GF		
		Proj/Phase:	000/00 Unassigned Title		
		Object:	001 Permanent Salaries-Miscellaneous		
2 added	2	1424 A	Clerk Typist	SC	$850B1027
1 added	1	8106 A	Legal Process Clerk	SC	$887B1073
1 added	1	8434 A	Supervising Adult Probation Off.	SC	$1580B1918
6 added	6	8440 A	Probation Officer	Z,SC	$1304B1580
2 added	2	8442 A	Senior Probation Officer	Z,SC	$1436B1740

(Amend-ment)	No. Pos.	Class & Item No.	Class & Title		Compensation Scheudle
		Dept.:	83 Public Health Central Office		
		Division:	02 CPHS		
		Section:	20 Epidemiology		
		Program:	4104 CPHS/Gen. Preventive Services		
		Fund:	01001 General Fund		
		Index:	734293 CPHS Epidemiology		
		Proj/ Phase:	000/00 Unassigned Title		
		Object:	001 Permanent Salaries-Miscellaneous		
1 abolished	11	2806 B	Disease Control Invest.	Z	$1208B1463
		Dept.:	83 Public Health Central Office		
		Division:	02 CPHS		
		Section:	40 Health Care Centers		
		Program:	4123 Outpatient Services		
		Fund:	01001 General Fund		
		Index:	734301 CPHS Health Care Centers Exp.		
		Proj/Phase:	000/00 Unassigned Title		
		Object:	001 Permanent Salaries-Miscellaneous		
2 abolished	3	1404 A	Clerk		$818B989
1 abolished	1	2220 A	Physician	Z	$2449B2977
1 abolished	0	2846 A	Nutritionist	Z	$1573B1909
1 abolished	0	8204 A	Inst. Police Officer		$1208B1463
Object 005 Permanent Salaries-Miscellaneous - Nurses					
4 abolished	65	2830 B	Public Health Nurse	Z	$1862B2330
		Dept.:	83 Public Health Central Office		
		Division:	02 CPHS		
		Section:	50 Maternal and Child Health		
		Program:	4143 Family Health		
		Fund:	01001 General Fund		
		Index:	441857 CPHS Maternal & Child Health Exp.		
		Proj/Phase:	000/00 Unassigned Title		
		Object:	001 Permanent Salaries- Miscellaneous		
1 abolished	0	2593 A	Health Prog. Coord. III	Z	$1666B2023

BOARD OF SUPERVISORS

(Amendment)	No. Pos.	Class & Item No.	Class & Title		Compensation Schedule
		Dept.:	83 Public Health Central Office		
		Division:	04 Environmental Services		
		Section:	01 Consumer Protection		
		Program:	4147 Environmental Health		
		Fund:	01001 General Fund		
		Index:	734269 BEHS Consumer Protection Exp.		
		Proj/Phase:	000/00 Unassigned Title		
		Object:	001 Permanent Salaries-Miscellaneous		
1 abolished	0	1446 A	Secretary II		$1027B1243
1 added	1	1450 W	Executive Secretary I	SC	$1125B1362
		Dept.:	86 S.F. General Hospital		
		Division:	01 General		
		Section:	00 General Division		
		Program:	4101 Acute Operations		
		Fund:	36001 Hospital Operations Fund		
		Index:	462580 Acute Operations		
		Proj/Phase:	000/00 Unassigned Title		
		Object:	001 Permanent Salaries-Miscellaneous		
1 abolished	3	1402 A	Junior Clerk		$745B899
1 abolished	36	1404 A	Clerk		$818B989
1 abolished	7	1424 A	Clerk Typist		$850B1027
1 abolished	28	2110 A	Medical Records Clerk		$961B1163
1 abolished	6	2453 A	Supv. Pharmacist	Z	$1835B2230
		Dept.:	86 S.F. General Hospital		
		Division:	30 Psychiatric Services		
		Section:	00 Psychiatric Services		
		Program:	4110 Psychiatric Services		
		Fund:	36001 Hospital Operating Fund		
		Index:	462598 Psychiatric Services		
		Proj/Phase:	000/00 Unassigned Title		
		Object:	001 Permanent Salaries-Miscellaneous		
1 abolished	0	2230 A	Physician Specialist	Z,SC	$2571B3126
	Object	005 Permanent Salaries-Miscellaneous			
e 10/3/90 1 abolished	~~5~~ 25	2305 A	Psychiatric Technician	~~Z~~	$1078B1304 ~~$2607B1777~~

(Amendment)	No. Pos.	Class U Item No.	Class & Title		Compensation Schedule
		Dept.:	86 S.F. General Hospital		
		Division:	31 Methadone Clinic		
		Section:	00 Methadone Clinic		
		Program:	4112 Methadone Clinic		
		Fund:	36001 Hospital Operating Fund		
		Index:	462606 Methadone Clinic		
		Proj/Phase:	000/00 Unassigned Title		
		Object:	001 Permanent Salaries-Miscellaneous		
1 added	1	2586 C	Health Worker II	SC	$899BB1088

APPROVED AS TO CLASSIFICATION
CIVIL SERVICE COMMISSION

John J. Walsh for
GENERAL MANAGER, PERSONNEL

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: [signature]
CITY ATTORNEY

Passed for Second Reading

Board of Supervisors, San Francisco

October 9, 1990

Ayes: Supervisors Alioto, [redacted], Gonzalez, Hallinan, [redacted], [redacted], Kennedy, [redacted], [redacted], Walker, Ward.

Noes: Supervisors Britt Hongisto Hsieh Maher Nelder

[redacted]

John L. Taylor Clerk

OCT 17 1990

102-90-4

File No.

Approved

Read Second Time and Finally Passed

Board of Supervisors, San Francisco

October 15, 1990

Ayes: Supervisors Alioto, [redacted], Gonzalez, Hallinan, [redacted], [redacted], Kennedy, [redacted], [redacted], Walker, Ward.

Noes: Supervisors Britt Hongisto Hsieh Maher Nelder

[redacted]

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John L. Taylor Clerk

Mayor

FILE NO. 109-90-5 ORDINANCE NO. 354-90

[Residential Rent Stabilization and Arbitration Fee]

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 37A.2 TO INCREASE THE RESIDENTIAL UNIT FEE FROM $4.00 TO $8.00.

Note: Additions are underlined; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by amending Sections 37A.2 to read as follows:

Sec. 37A.2. Findings. The Board of Supervisors hereby finds:

(a) In Section 37.1 of this Code, the Board of Supervisors found that there was a shortage of decent, safe and sanitary housing in the City and County of San Francisco resulting in a critically low vacancy factor. The Board further found that rent regulation was necessary in order to alleviate the ill effects of the City's housing shortage to meet the need for affordable housing, and to advance the City's housing policies. The Board now hereby finds that this housing shortage still persists and the rent regulation continues to be a necessary and effective means of mitigating this condition.

(b) By Ordinance No. 276-79, adopted June 12, 1979, the Board of Supervisors enacted the Residential Rent and Arbitration Ordinance ("Rent Ordinance," Chapter 37, San Francisco Administrative Code) to regulate residential rents in San Francisco. The Ordinance created the Residential Rent Stabilization and Arbitration Board ("Rent Board," "Sections 37.1(a), (b) and 37.4) to administer and enforce the Rent Ordinance and thereby safeguard tenants from excessive increases while at the same time assure landlords fair and adequate rents. The Rent Board benefits both landlords and tenants by providing for the orderly and efficient administration of the Rent Ordinance and by protecting tenants from unreasonable rent increases and displacement while assuring that landlords receive fair rents consistent with the Ordinance.

(c) It is fair and reasonable that the costs of administering and enforcing the Rent Ordinance through the Rent Board should be equitably distributed among the City's residential units.

Therefore, the Board finds that the owner of each residential unit as defined in Section 37A.1 above shall be required to pay an annual Rent Stabilization and Arbitration fee for each unit.

(d) The fee for each residential unit shall equal the projected annual cost of funding the Rent Board plus related administrative costs pursuant to Section 10.194 of this Code including, but not limited to, the Tax Collector and Controller divided by the total number of residential units estimated to pay the fee minus any balance remaining in the fund set forth in Section 10.117-88 of this Code; provided, however, that in calculating the fee, the Controller shall round up any fraction of a dollar to the next whole dollar; provided further, however, that the fee shall in no event exceed (($4.00)) $8.00 per residential unit. For the purposes of this calculation, a guest room shall be counted as one-half of a residential unit and shall be charged half the fee. The Assessor and the Superintendent of the Bureau of Building Inspection shall release to the Information Services Division (ISD) of the Controller's Office by June 1st information necessary for compilation of the billing list. The Controller shall compile the list, determine the total number of residential units and calculate the fee by July 31st. The fee shall be recalculated on July 31st each year.

(e) The fee herein is for regulatory purposes only. It is not designed or intended for revenue purposes. Any surplus collected in a given year will reduce the fee in the next fiscal year.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: _____
Deputy City Attorney

Passed for Second Reading

Board of Supervisors, San Francisco

October 9, 1990

Ayes: Supervisors Alioto, [redacted], Gonzalez, Hallinan, [redacted], [redacted], Kennedy, [redacted], [redacted], Walker, Ward.

Noes: Supervisors Britt Hongisto Hsieh Maher Nelder

[redacted]

_____ Clerk

109-90-5
File No.

OCT 17 1990
Approved

Read Second Time and Finally Passed

Board of Supervisors, San Francisco

October 15, 1990

Ayes: Supervisors Alioto, [redacted], Gonzalez, Hallinan, [redacted], [redacted], Kennedy, [redacted], [redacted], Walker, Ward.

Noes: Supervisors Britt Hongisto Hsieh Maher Nelder

[redacted]

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

_____ Clerk

_____ Mayor

(Medical Liens)

AMENDING ARTICLE 3 OF THE SAN FRANCISCO HEALTH CODE BY ADDING SECTION 124.5 RELATING TO MEDICAL LIENS ON PATIENT THIRD-PARTY CLAIMS; AMENDING SECTION 124 RELATING TO REIMBURSEMENT FOR AID GRANTED.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter 5 of the San Francisco Municipal Code (Health Code) is hereby amended by adding Section 124.5 to read as follows:

Note: This entire section is new.

SEC. 124.5. LIENS ON ACTIONS AGAINST THIRD PARTY.

(a) As used in this section:

(1) "Recipient" means any person who has received medical care or hospitalization or will be provided medical care or hospitalization rendered by the San Francisco Department of Public Health at any of its medical facilities because of an injury for which another person may be liable. This term includes the recipient's guardian, conservator, other personal representative, estate, or survivors, including any heir, as defined in California Code of Civil Procedure section 377, who is a party in a cause of action arising out of the death of the person who received the medical care or hospitalization.

(2) "Action" means any cause of action demanding payment of damages filed in any court, or with any public agency, including but not limited to any application for compensation under the Workers Compensation Act of the California Labor Code, or with a private adjudicator, including but not limited to a private arbitrator or mediator, arising out of the injuries that resulted in the medical care or hospitalization of the recipient. This term also includes any cause of action arising out of the death of the recipient from such injuries.

(3) "Claim" means any demand by the recipient for damages against another, including but not limited to any written demand by the recipient for payment under the provisions of any insurance contract providing for payment to injured persons, including payment from the recipient's insurance carrier or the third party's insurance carrier or both carriers.

(b) When any recipient, as defined in subsection (a)(1) of this section, asserts an action or claim for damages against a third party or insurance carrier based upon an injury requiring medical care, the cost of the medical care shall constitute a lien in favor of the City and County of San Francisco upon any such recovery received by the recipient.

(c) When any recipient who has been billed for the cost of medical care rendered by the San Francisco Department of Public Health fails to pay in full for such care and asserts an action or claim for damages against a third party or insurance carrier, the recipient's attorney retained to assert the action or claim shall provide written notice of such action or claim by personal delivery or first-class mail to the Bureau of Delinquent Revenue Collection in the Office of the Treasurer-Tax Collector within ten (10) days of asserting such action or claim. Such notice by the retained attorney to the Bureau of Delinquent Revenue Collection shall adequately identify the recipient, and his or her action or claim, including the name of the insurance carrier against which claim has been made, or the court or state or local agency in which the action or claim is asserted, in order to allow the Bureau of Delinquent Revenue Collection to prepare and file the lien as authorized by subsection (b) of this section. In addition, if the recipient as defined in subsection (a)(1) of this section does not retain an attorney to assert the action or claim, he or she shall give the

same notice as described in this subsection. A mailed billing statement sent by the San Francisco Department of Public Health or the Bureau of Delinquent Revenue Collection to the address of the recipient as given on the medical records shall constitute prima facie evidence of knowledge by the recipient of such billing for medical care.

(d) When the Bureau of Delinquent Revenue Collection has perfected a lien upon a judgment, award, or settlement in favor of a recipient against any third party or third party insurance carrier for an injury for which the recipient has received medical care from the San Francisco Department of Public Health, the Bureau of Delinquent Revenue Collection as lien claimant shall be entitled to foreclose its lien against any proceeds from such judgment, award, or settlement to enforce payment of the lien against the third party or third party insurance carrier, with interest at the legal rate. If the amount of such judgment, award, or settlement so recovered has been paid to the recipient, as defined in subsection (a)(1) of this section, or to his or her attorney retained to assert the action or claim, the Bureau of Delinquent Revenue Collection shall be entitled to foreclose its lien against the proceeds received by such recipient, recipient's agent, recipient's transferee, or against the retained attorney if he or she has received such payment, to the extent of the San Francisco Department of Public Health's or the Bureau of Delinquent Revenue Collection's lien, with interest at the legal rate.

(e) The failure by the attorney retained by the recipient, as defined in subsection (a)(1) of this section, to give notice to the Bureau of Delinquent Revenue Collection in the Office of the Treasurer-Tax Collector regarding the recipient's action or claim for damages against a third party or insurance carrier after the

recipient has received a billing for medical care from the San Francisco Department of Public Health or the Bureau of Delinquent Revenue Collection shall constitute fraud and deceit by the retained attorney. Likewise, the failure by any recipient, as defined in subsection (a)(1) of this section, to give such notice as described in this subsection after receiving a billing for medical care from the San Francisco Department of Public Health or the Bureau of Delinquent Revenue Collection shall constitute fraud and misrepresentation by the recipient. In addition, either the recipient or the recipient's attorney retained to assert such action or claim who receives any payment from the third party or insurance carrier resulting from the assertion of such action or claim and who fails to apply such payment towards the satisfaction of the outstanding bill for medical care shall be liable as a constructive trustee for all damages that may be awarded by any court to the City and County of San Francisco for breach of constructive trustee duties and responsibilities.

(f) Commencing 30 days after the enactment of this ordinance, the affected medical facilities of the San Francisco Department of Public Health shall make every reasonable effort where feasible to include a statement in English, Spanish, and Chinese with every billing setting out the notice requirement, as described in subsection (c) of this section, imposed on the recipient's retained attorney, or if there is no retained attorney, imposed on the recipient, regarding any action or claim for recovery asserted against a third party or insurance carrier. The statement shall read:

"IMPORTANT! If your attorney or you alone demand money from another person or insurance company because of your injuries and you have not paid this bill in full, your attorney or you must notify:

The Bureau of Delinquent Revenue Collection, City Hall, Room 107, San Francisco, California 94102. Failure to notify the Bureau within 10 days of making your demand may result in civil liability for your attorney or you. S.F. Health Code Section 124.5"

Section 2. Part II, Chapter 5 of the San Francisco Municipal Code (Health Code) is hereby amended by amending Section 124 to read as follows:

Note: Additions are <u>underscored</u>; deletions are indicated by ((double parentheses)).

SEC. 124. REIMBURSEMENT FOR AID GRANTED. Every person; except persons enumerated in Subsections (10) to (14) inclusive, and Section (17) of Section 115 hereof, and persons found to be exempt from liability for benefits under the provisions of Chapter 7 or Chapter 8, Part 3, Division 9 of the Welfare and Institutions Code of the State of California, who is given or shall receive aid directly or indirectly from public monies drawn through the Treasury of the City and County of San Francisco, shall be liable to the extent of his ability to pay as determined by Section 119 hereof, for the value of said aid so allowed, granted, or given, and if any of said aid granted to said person is for injury sustained by reason of an accident or wrongful act, the value of aid shall, if said person or other persons entitled to bring such action asserts or maintains a claim against another for damages on account of his <u>or</u> her injury or because of his <u>or her</u> death, constitute a lien upon the damages recovered, or to be recovered, either by judgment, settlement or compromise by said person, or by his <u>or her</u> heirs or personal representative in case of his <u>or her</u> death, or other persons lawfully entitled to a cause of action because of his <u>or her</u> death. ((The term other persons lawfully entitled to a cause of action because of death of a recipient of public aid shall be

limited to those persons who are deemed responsible relatives as defined in Section 17300 of the California Welfare and Institution Code.))

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Robert A. Kinealey
Deputy City Attorney

APPROVED BY:

Mary I. Callanan
MARY I. CALLANAN
Treasurer

APPROVED BY:

For THAD BROWN
Tax Collector

Passed for Second Reading

Board of Supervisors, San Francisco

October 9, 1990

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward.

~~Noes: Supervisors~~

~~Absent: Supervisors~~

Clerk

118-90-6

File No.

OCT 17 1990

Approved

Read Second Time and Finally Passed

Board of Supervisors, San Francisco

October 15, 1990

Ayes: Supervisors ~~Alioto,~~ Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, ~~Ward~~

~~Noes: Supervisors~~

Absent: Supervisors Alioto Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

Clerk

Mayor

FILE NO. 127-89-7 ORDINANCE NO. 356-90

[Event Notification]

AMENDING PART III, ARTICLE 3, SAN FRANCISCO MUNICIPAL CODE (REVENUE/BUSINESS REGULATIONS) BY ADDING SECTION 251.1 THERETO TO REQUIRE EVERY PERSON, FIRM OR CORPORATION ENGAGED IN THE BUSINESS OF RENTING OR LETTING ROOMS TO NOTIFY THE TAX COLLECTOR OF THE EXHIBITION AND SALE OF GOODS, WARES AND MERCHANDISE BY A TRANSIENT MERCHANT AS DEFINED IN SECTION 251 OF THIS ARTICLE.

Note: This entire section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part III, Article 3 of the San Francisco Municipal Code (Revenue/Business Regulations) is hereby amended by adding Section 251.1 to read as follows:

SEC. 251.1 NOTIFICATION OF TRANSIENT MERCHANT ACTIVITY TO TAX COLLECTOR.

(a) Every person, firm or corporation engaged in the business of renting or leasing out any building, structure, shop, tent, railroad boxcar, boat, room in any hotel, motel, auto court, lodginghouse, or apartment, within the City and County who knowingly rents such property or any portion thereof to a transient merchant (as defined in Section 251 of this article) shall notify the Tax Collector within ten days prior to the exhibition and sale of goods, wares and merchandise for which the transient merchant has engaged this space, or within ten days of registration to rent space to conduct commercial activity as a transient merchant in any case where the registration occurs less than ten days prior to the use of the rented space, that such activity is scheduled to take place, including the name, local and permanent address of the merchant and the nature of the items to be sold. For purposes of this section, "transient merchant" shall not include an exhibitor at a conference or convention, the primary purpose of which is other than the direct sale of goods, wares or merchandise.

(b) The Tax Collector may seek such court orders as may be necessary to obtain information on rentals to transient merchants required to be disclosed hereby.

(c) The Tax Collector may establish rules and regulations for the administration of the purposes of this Section, including the form on which transient merchant information is to be provided to the Tax Collector. Before issuing or amending any rules or regulations, the Tax Collector shall provide a 30 day public comment period by providing published notice in an official newspaper of general circulation in the City and County of the intent to issue or amend the rules or regulations.

(d) One year after this ordinance goes into effect the Tax Collector shall report to the Board of Supervisors on the implementation and enforcement of this ordinance, and shall present any recommendations for changes to the ordinance that would be beneficial and appropriate.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore R. Lolley
Deputy City Attorney

Passed for Second Reading

Board of Supervisors, San Francisco

October 9, 1990

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, [redacted], [redacted], Kennedy, Maher, [redacted], Walker, Ward.

Noes: Supervisors Hongisto Hsieh Nelder

[redacted]

Absent: Supervisors

John Taylor Clerk

OCT 17 1990

127-89-7

File No.

OCT 17 1990

Approved

Read Second Time and Finally Passed

Board of Supervisors, San Francisco

October 15, 1990

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, [redacted], [redacted], Kennedy, Maher, [redacted], Walker, [redacted]

Noes: Supervisors Hongisto Hsieh Nelder

Absent: Supervisors Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John Taylor Clerk

Mayor

FILE NO. 127-90-12 ORDINANCE NO. 357-90

[Real Property Transfer Tax]

AMENDING ARTICLE 12C OF PART III, SAN FRANCISCO MUNICIPAL CODE, IMPOSING A REAL PROPERTY TRANSFER TAX, BY AMENDING SECTION 1102 THEREOF TO ELIMINATE THE EXEMPTION FROM THE TAX FOR ASSUMED INDEBTEDNESS.

NOTE: Additions or substitutions are underlined: deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Section 1102 of Article 12C (Real Property Transfer Tax) of Part III of the San Francisco Municipal Code is hereby amended to read as follows:

SEC. 1102. TAX IMPOSED. There is hereby imposed on each deed, instrument or writing by which any lands, tenements, or other realty sold within the City and County of San Francisco shall be granted, assigned, transferred or otherwise conveyed to, or vested in, the purchaser or purchasers, or any other person or persons, by his/her or their direction, when the consideration or value of the interest or property conveyed (not excluding ((exclusive of)) the value of any lien or encumbrances remaining thereon at the time of the sale) exceeds $100, a tax at the rate of $2.50 for each $500 or fractional part thereof.

Section 2. Under existing law, the real property transfer tax is computed on the entire purchase price of the property, except when the purchaser assumes or takes subject to a mortgage or trust deed that remains on the property after the transfer, in

//

which case the tax is computed on an amount equal to the purchase price less the amount of said mortgage or trust deed. The intent of this ordinance is to eliminate the exemption/exclusion from tax of the amount of any such mortgage or trust deed.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By _____
JOHN J. DOHERTY
Deputy City Attorney

SUPERVISOR WALKER, HALLINAN
0484w

Passed for Second Reading

Board of Supervisors, San Francisco

October 9, 1990

Ayes: Supervisors Alioto, [redacted], Gonzalez, Hallinan, [redacted], [redacted], Kennedy, [redacted], [redacted], Walker, Ward.

Noes: Supervisors Britt Hongisto Hsieh Maher Nelder

[redacted]

John L. Taylor OCT 17 1990 Clerk

127-90-12 OCT 17 1990

File No. Approved

Read Second Time and Finally Passed

Board of Supervisors, San Francisco

October 15, 1990

Ayes: Supervisors Alioto, [redacted], Gonzalez, Hallinan, [redacted], [redacted], Kennedy, [redacted], [redacted], Walker, Ward.

Noes: Supervisors Britt Hongisto Hsieh Maher Nelder

[redacted]

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John L. Taylor Clerk

Mayor

FILE NO. 46-90-17 ORDINANCE NO. 358-90

[Settlement of Lawsuit]

AUTHORIZING SETTLEMENT OF LITIGATION OF CITY AND COUNTY OF SAN FRANCISCO AGAINST LILLIE M. HEREFORD BY ACCEPTING CONSIDERATION IN THE TOTAL AMOUNT OF $88,000 PAYABLE IN CASH AND IN THE FORM OF A LIEN ON REAL PROPERTY AND DISCHARGING SAID LILLIE M. HEREFORD FROM FURTHER LIABILITY.

Be it ordained by the people of the City and County of San Francisco:

Section 1. The Tax Collector Attorney is hereby authorized and directed to settle the controversy in San Francisco Superior Court No. 847252 entitled City and County of San Francisco v. Lillie Hereford Individually and as Administratrix of the Estate of Hillary Hereford by accepting the total amount of $88,000 payable as follows: $50,000 payable on the date the Estate of Hillary Hereford, Jr., San Francisco Probate No. 248-272, is closed and the assets therein are ordered distributed and the balance in the form of a lien on Lillie M. Hereford's personal residence which accrues interest at the rate of 10% per annum from date of recordation until date of payment.

Section 2. After payment of the amount specified and recording the lien provided in Section 1, the Tax Collector Attorney is further directed to release said Lillie M. Hereford from all liability for debts arising out of the San Francisco Superior Court Action No. 847252 including the City's creditor claim in the Estate of Hillary Hereford Deceased, Probate No. 248272 and to prepare and file appropriate legal documents in each legal proceeding terminating all litigation relating to the City's monetary claims against Lillie M. Hereford in any capacity whatsoever relating to her liability for the costs of Hillary Hereford's care at Laguna Honda Hospital.

Section 3. It is expressly understood that any default in the payment of the amount described in Section 1, whether in the form of cash payment or execution of a lien shall entitle the City and County of San Francisco to pursue all of its legal rights as a creditor litigant in San Francisco Superior Court Action No. 847252 and Probate No. 248272.

RECOMMENDED BY:

Thad Brown

THAD BROWN
Tax Collector

APPROVED BY:

Mary I. Callanan

MARY I. CALLANAN
Treasurer

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore R. Lakey
Deputy City Attorney

DOCUMENTS DEPT.
OCT 31 1990
SAN FRANCISCO
PUBLIC LIBRARY

Passed for Second Reading

Board of Supervisors, San Francisco

October 15, 1990

Ayes: Supervisors [redacted] Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, [redacted]

[redacted]

Absent: Supervisors Alioto Ward

John L. Taylor Clerk

OCT 24 1990

46-90-17
File No.

Approved

Read Second Time and Finally Passed

Board of Supervisors, San Francisco

October 22, 1990

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, [redacted] Hsieh, [redacted] Maher, Nelder, Walker, [redacted]

[redacted]

Absent: Supervisors Hongisto Kennedy Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John L. Taylor Clerk

Mayor

FILE NO. 45-90-48

ORDINANCE NO. 359-90

RO #90079

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF QUINCY NORRIS AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $85,000.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "QUINCY NORRIS v. CITY AND COUNTY OF SAN FRANCISCO, DEPARTMENT OF ELECTRICITY, et al.," United States District Court No. C87-2065 RHS, by the payment of $85,000 (Eighty-Five Thousand Dollars).

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

JONATHAN V. HOLTZMAN
Team Leader/Supervisor

RECOMMENDED:

DEPARTMENT OF ELECTRICITY

BARRY McAVOY, General Manager

FUNDS AVAILABLE:

CONTROLLER

01 001 97 09 75 309609 1450
$85,000.00

APPROVED:

CHIEF ADMINISTRATIVE OFFICER

SEP 27 1990

Passed for Second Reading

Board of Supervisors, San Francisco

October 15, 1990

Ayes: Supervisors [redacted], Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, [redacted]

[redacted]

Absent: Supervisors Alioto Ward

Clerk

OCT 24 1990

45-90-48

File No.

Approved

Read Second Time and Finally Passed

Board of Supervisors, San Francisco

October 22, 1990

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, [redacted], Hsieh, [redacted], Maher, Nelder, Walker, Ward.

[redacted]

Absent: Supervisors Hongisto Kennedy Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

Clerk

Mayor

DOCUMENTS DEPT.

OCT 31 1990

SAN FRANCISCO PUBLIC LIBRARY

FILE NO. 65-90-5

ORDINANCE NO. 360-90

[Childcare Center, Lease Agreement]

AUTHORIZING NEGOTIATED LEASE AGREEMENT FOR CHILDCARE CENTER AT SOUTHEAST COMMUNITY FACILITY.

Be It Ordained by the People of the City and County of San Francisco:

Section 1. In accordance with the recommendation of the Director of Public Works; Executive Director, Clean Water Program and the Southeast Community Facility Commission; the Director of Property is hereby authorized to arrange for the direct lease of the childcare center at the Southeast Community Facility.

Section 2. The Director of Property has negotiated a lease beginning September 1, 1990 and ending August 31, 1991 with Far West Laboratory and they have offered to rent, subject to the terms and conditions set forth in the proposed lease on file in the Office of the Director of Property, the childcare center of the Southeast Community Facility located at 1800 Oakdale Avenue, containing approximately 3,450 square feet including adjacent playground area for the sum of $2,600.00 per month.

Section 3. The Director of Property has determined that Far West Laboratory is a responsive and responsible tenant and recommends the award of this lease to them.

Section 4. The proposal of Far West Laboratory is hereby accepted and the Mayor and the Clerk of the Board of Supervisors are authorized and directed to execute said Lease Agreement on behalf of the City and County of San Francisco, and subject to any additions or deletions to said Lease Agreement as determined to be necessary in the interests of the City by the City Attorney.

RECOMMENDED:

for Director of Public Works

for Director of Property

Executive Director
Clean Water Program

Southeast Community Facility
Commission

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By
Deputy City Attorney

1292

(REal Estate Dept.)

Passed for Second Reading

Board of Supervisors, San Francisco

October 15, 1990

Ayes: Supervisors [redacted] Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, [redacted]

[redacted]

Absent: Supervisors Alioto Ward

Clerk

65-90-5

File No.

OCT 24 1990

Approved

Read Second Time and Finally Passed

Board of Supervisors, San Francisco

October 22, 1990

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, [redacted] Hsieh, [redacted] Maher, Nelder, Walker, [redacted]

[redacted]

Absent: Supervisors Hongisto Kennedy Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

Clerk

Mayor

FILE NO. 125-90-1 ORDINANCE NO. 361-90

(Utility Shutoff)

AMENDING PART II, CHAPTER XII OF THE SAN FRANCISCO MUNICIPAL CODE (HOUSING CODE) RELATING TO EARTHQUAKE EMERGENCY GUIDELINES BY ADDING SECTION 712 PROVIDING FOR THE IDENTIFICATION OF UTILITY SHUTOFF DEVICES AND BY AMENDING SECTION 206 RELATING TO RETROACTIVITY; AND ADOPTING FINDINGS.

NOTE: Additions are underlined. Deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings. The Board of Supervisors finds pursuant to Health and Safety Code Section 17958.5 that it is reasonably necessary to adopt this ordinance on the basis of the following local conditons:

(a) San Francisco has large areas where unique soils, such as unengineered fills or soils subject to liquefaction, are known to exist.

(b) San Francisco's existing housing stock contains a significant number of older, woodframe buildings which do not meet the seismic safety requirments of the current Building Code.

(c) The earthquake of October 17, 1989, its associated aftershocks and the potential for fire after earthquakes demonstrated the importance of having landlords inform residents of apartment houses as to the location of utility shutoff devices, the instructions for operating such devices prominently posted in a public area of the building and having any tools necessary for shutoff located in close proximity to the shutoff valve.

(d) Due to local geographic conditions there is a paramount interest in protecting the public health and safety of the residents of the City and County of San Francisco by identifying utility shutoff devices, posting instructions for operating such devices and [illegible] tools necessary for shutoff.

Section 2. Amending Part II, Chapter XII of the San Francisco Municipal Code (Housing Code) by Amending Section 206 thereof, to read as follows:

SEC. 206. RETROACTIVE PROVISIONS - The sections and subsections listed herein are retroactive and shall apply to and include existing buildings as defined in Section 401 of this Code.

351 to 353 inclusive	1001
501 to 505 inclusive	1102
601 to 603 inclusive	1103
701 to 707 inclusive	1201 to 1212 inclusive
709 to ((711)) 712 inclusive	1214 to 1219 inclusive
801 to 803 inclusive	1301 to 1311 inclusive
805 to 808 inclusive	
901 to 911 inclusive	

Exceptions to the provisions of Section 904(a)(2) and 911 may be made with respect to any Qualified Historical Building or Structure (as defined in Title 24 California Administrative Code Section 2-418). For such buildings and structures, the Superintendent and the Bureau of Fire Prevention and Public Safety may provide for a suitable system of fire prevention and life safety as an alternative to the provisions of Sections 904(a)(2) and 911.

For purposes of Section 904(a)(2), 911 and 912, an "existing hotel" shall be deemed to be any hotel as to which a building permit application for construction of the hotel was approved as of the date of the adoption of the ordinance which adds Sections 904(a)(2) and 912 to this Code. All such existing hotels shall be conformed to the requirements of Sections 904(a)(2), 911, and 912 within three years from the date of the adoption of the ordinance which adds Sections 904(a)(2), 911 and 912 to this Code. As to such existing hotels only, the period for compliance with the requirements of

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Sections 904(a)(2), 911 and 912 may be extended upon showing of good cause for such extension if a systematic and progressive plan of compliance is submitted to the Superintendent and to the Bureau of Fire Prevention and Public Safety. Such extension shall not exceed two years from the date of approval of such plan, and any plan of compliance submitted pursuant to this subdivision shall be submitted and approved within three years from the date of the adoption of the ordinance which adds Sections 904(a)(2) and 912 to this Code.

Section 3. Amending Part II, Chapter XII of the San Francisco Municipal Code (Housing Code) by adding Section 712 to read as follows:

SEC. 712. IDENTIFICATION OF UTILITY SHUTOFF DEVICES. Existing apartment houses shall have directions showing the location of utility shutoff devices, and instructions for operating such devices, prominently posted in a public area of the building.

All utility services shall have their location and shutoff devices identified as required by the San Francisco Building, Plumbing and Electrial Codes.

The following diagram and instructions, printed on paper at least 8-1/2 inches wide by 11 inches long, shall comply with the requirement to post instructions for operating shutoff devices imposed by this section:

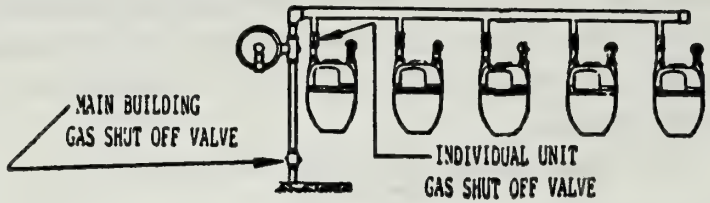
/ / /

/ / /

/ / /

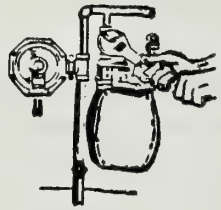
/ / /

TYPICAL MULTI UNIT DWELLING GAS METER INSTALLATION



If You Smell Gas

Your gas can be turned off at the main shut-off valve next to your gas meter. Using a wrench or other suitable tool, give the valve a quarter turn in either direction. The valve is closed when the tang (the part you put the wrench on) is crosswise to the pipe. (See illustration.) To reinstitute gas service, call PG&E or a qualified contractor.



SHUTOFF LOCATION:

_____

_____

_____

_____

Notices required by this section shall be posted not later than April 1, 1991.

Any tools necessary for shutoff shall be located in close proximity to the shutoff valve in a secure location that is accessible to tenants but is not susceptible to unauthorized tampering.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By Daniel E. Collins
DANIEL E. COLLINS
Deputy City Attorney

7143P

Passed for Second Reading

Board of Supervisors, San Francisco

October 15, 1990

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, [redacted]

[redacted]

Absent: Supervisors Ward

John Taylor Clerk

OCT 24 1990

125-90-1
File No.

Approved

Read Second Time and Finally Passed

Board of Supervisors, San Francisco

October 22, 1990

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, [redacted] Maher, Nelder, Walker, Ward.

[redacted]

Absent: Supervisors Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John Taylor Clerk

Mayor

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OCT 31 1990

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FILE NO. 115-90-5 ORDINANCE NO. 362-90

[Service Stations]

AMENDING PART II, CHAPTER II OF THE SAN FRANCISCO MUNICIPAL CODE (PLANNING CODE) BY ADDING SECTION 187-1 THERETO, TO PROVIDE THAT CERTAIN SERVICE STATIONS IN RESIDENTIAL DISTRICTS MAY CONTINUE AS LEGAL NONCONFORMING USES AND PROVIDING FOR THE ISSUANCE OF CONDITIONAL USE ~~PERMITS~~ AUTHORIZATIONS FOR EXPANSION OR INTENSIFICATION OF SERVICE STATION OPERATIONS.

GJ 10/11

Note: This entire section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings.

The Board of Supervisors hereby finds as follows:

(a) Gasoline service stations provide important services to San Francisco residents and those visiting the City.

(b) In recent years, there has been a significant reduction in the number of gasoline service stations in San Francisco, particularly in residential areas.

(c) To encourage the continued operation of gasoline service stations in residential areas of San Francisco, the Board hereby adopts the following changes to the San Francisco Planning Code.

Section 2. Part II, Chapter II of the San Francisco Municipal Code (Planning Code) is hereby amended by adding Section 187-1 thereto, to read as follows:

SEC. 187-1. SERVICE STATIONS AND GASOLINE STATIONS AS LEGAL NONCONFORMING USES.

(a) As used in this section, "automotive service station" shall mean an establishment that sells and dispenses gasoline and other motor fuels and lubricating fluids directly into motor vehicles and which may, in addition, provide the types of services specified in Section 223(f) and 223(g) of this code.

(b) Notwithstanding any other provision of this code, an automotive service station located in an R district, and having legal nonconforming use status under the provisions of this code on January 1, 1980, shall be regarded as a legal nonconforming use so long as the station continues to sell and dispense gasoline and other motor fuels and lubricating fluids directly into motor vehicles.

(c) An automotive service station regarded as a legal nonconforming use under subsection (b) of this section may enlarge or intensify its current service station operations provided the station receives conditional use approval for such enlargement or intensification under Section 303 of this Code. Conditional use authorizations ~~permits~~ issued pursuant to this section shall not contain termination dates.

GJ 10/11

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: [signature]
Deputy City Attorney

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NOV 16 1990
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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
October 22, 1990	§	October 29, 1990
	§	
	§	
Ayes: Supervisors Alioto Britt	§	Ayes: Supervisors Alioto Britt
Gonzalez Hallinan Hongisto Hsieh	§	Gonzalez Hallinan Hsieh Kennedy
Maher Nelder Walker Ward	§	Maher Nelder Walker
	§	
Absent: Supervisors Kennedy	§	Absent: Supervisors Hongisto Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
115-90-5

NOV 06 '90
Date Approved

Mayor

ORIGINAL

FILE NO. 193-90-14 ORDINANCE NO. 363-90

(RECYCLING CENTER PERMIT)

APPROVING A PERMIT FOR CONTINUATION OF OPERATING A NEIGHBORHOOD RECYCLING CENTER OUTSIDE OF KEZAR STADIUM PRESS PARKING AREA AT THE CORNER OF ARGUELLO BOULEVARD AND FREDERICK STREET, SAN FRANCISCO, CALIFORNIA.

Be it ordained by the People of the City and County of San Francisco:

Section 1. That certain permit between the Recreation and Park Commission, for and on behalf of the City and County of San Francisco and Haight Ashbury Neighborhood Council (H.A.N.C.), for continuation of operating a neighborhood recycling center outside of Kezar Stadium press parking area, a copy of which permit is on file in the office of the Clerk of the Board of Supervisors and to which reference is hereby made, is hereby approved.

RECOMMENDED:

Mary E. Burns, General Manager
Recreation and Park Department

Shauna Marie Rose, Secretary
Recreation and Park Commission

APPROVED AS TO FORM:
Louise H. Renne, City Attorney

Mara E. Rosales, Deputy City Attorney

1091M

Board of Supervisors, San Francisco

Passed for Second Reading

October 22, 1990

Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Maher Nelder Walker Ward

Absent: Supervisors Kennedy

Finally Passed

October 29, 1990

Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Nelder Walker

Absent: Supervisors Hongisto Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 193-90-14

NOV 06 '90
Date Approved

Mayor

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10/22/90 - AMENDMENT OF THE WHOLE

FILE NO. 203-90-2

ORDINANCE NO. 364-90

[Quitclaim Deed]

AUTHORIZING AND DIRECTING EXECUTION OF QUITCLAIM DEED BY CITY AND COUNTY OF SAN FRANCISCO TO SAN FRANCISCO UNIFIED SCHOOL DISTRICT, A POLITICAL SUBDIVISION OF THE STATE OF CALIFORNIA, FOR TWENTY-FOUR SCHOOL PROPERTIES AND ACCEPTING A QUITCLAIM DEED TO ELEVEN PROPERTIES USED BY OTHER CITY DEPARTMENTS FROM SAN FRANCISCO UNIFIED SCHOOL DISTRICT; AND ADOPTING FINDINGS PURSUANT TO CITY PLANNING CODE SECTION 101.1.

Be It Ordained By the People of the City and County of San Francisco:

Section 1. That the Mayor and the Clerk of the Board of Supervisors of the City and County of San Francisco are hereby authorized to execute and the Director of Property shall deliver a quitclaim deed to real property in San Francisco, California, being the following twenty-four school properties:

Name	Address	Legal Description
Alamo School	250 - 23rd Avenue	Block 1411, Lot 5
Bryant School	1050 York Street	Block 4151, Lots 6-8
Dr. William L. Cobb School	2725 California Street	Block 1027, Lot 4
F.S. Key School Annex	1351 - 42nd Avenue	Block 1797, Lot 7
Frank McCoppin School	651 - 6th Avenue	Block 1638, Lot 9
George Peabody School	251 - 6th Avenue	Block 1427, Lot 10
I.M. Scott School	1060 Tennessee Street	Block 4107, Lot 6
Jefferson School	1725 Irving Street	Block 1773, Lot 1
John Swett School	727 Golden Gate Avenue	Block 768, Lot 15
Laguna Honda School	1350 - 7th Avenue	Block 1761, Lot 40
Lawton School	1570 - 31st Avenue	Block 1876, Lot 2
Lucinda Weeks School	745 - 30th Avenue	Block 1614, Lot 8
Marshall School	1575 - 15th Street	Block 3553, Lot 31
Parkside School	2550 - 25th Avenue	Block 2425, Lot 8
Sherman School	1651 Union Street	Block 545, Lot 1
Sutro School	235 - 12th Avenue	Block 1421, Lot 6
William De Avila School	1351 Haight Street	Block 1243, Lot 8
Presidio Middle School	450 - 30th Avenue	Block 1461, Lot 1
Alamo Park High School	1099 Hayes Street	Block 823, Lot 11
Mark Twain High School	1541 - 12th Avenue	Block 1858, Lot 6
Downtown High School	110 Bartlett Street	Block 3636, Lot 33
Newcomer High School	2340 Jackson Street	Block 588, Lot 4
Sunshine High School	2730 Bryant Street	Block 4273, Lot 8
Jefferson Children's Center	1350 - 25th Avenue	Block 1779, Lot 7

releasing all right, title and interest of the City and County of San Francisco in such property to the San Francisco Unified School District, a political subdivision of the State of California.

Section 2. That the above-listed 24 school properties were created by either the Van Ness Ordinance or the Outside Lands Act, that the City and County of San Francisco holds title merely as a Trustee, and that any interest in these school sites which the City may have is of no value.

Section 3. That the Director of Property is authorized to accept from the San Francisco Unified School District a quitclaim deed to real property in San Francisco, California, being the following eleven properties used by other City departments:

Branch Libraries

1)	Chinatown/North Beach 1135 Powell Street	Block 191, Lot 24
2)	Presidio 3150 Sacramento	Block 1006, Lot 12
3)	Anza 550-37th Avenue	Block 1508, Lot 12B
4)	West Portal 190 Lenox Way	Block 2919, Lot 31
5)	Bernal Heights 500 Cortland Avenue	Block 5707, Lot 27 (a portion of)

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Other City Department Uses

6) Fire Department Administration Building
260 Golden Gate — Block 345, Lot 7

7) Fire Station No. 40
2155 - 18th Avenue — Block 2199, Lot 3

8) Fire Department Corp. Yard formerly
Public Works - St. Cleaning Corp. Yard
2350 - 19th Avenue — Block 2347, Lot 46

9) District Health Center No. 5
1351 - 24th Avenue — Block 1779, Lot 7

10) Rolph-Nichol Park - southerly side of
Eucalyptus Drive near 24th Avenue — Block 7295, Lot 16

11) Sunset Soccer Field, Portion of — Block 2094

Section 4. The Department of City Planning reported on August 20, 1990, that said exchange of quitclaim deeds between the San Francisco Unified School District and the City and County of San Francisco is in conformity with the City's Master Plan and consistent with the Eight Priority Policies of City Planning Code Section 101.1, a copy of which report is on file with the Clerk of the Board of Supervisors.

Section 5. The Board of Supervisors adopts as its own and incorporates by reference herein, as though fully set forth, the findings made by the Department of City Planning, by its letter dated August 20, 1990, that said exchange of quitclaim deeds between the San Francisco Unified School District and the City and County of San Francisco is consistent with the Eight Priority Policies of City Planning Code Section 101.1.

(See File 203-90-2 for departmental approvals.)

RECOMMENDED:

Director of Property

APPROVED AS TO FORM:
Louise H. Renne, City Attorney

By Theodore R. Lukey
Deputy City Attorney

2149

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
October 22, 1990	October 29, 1990
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Maher Nelder Walker Ward	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Nelder Walker Ward
Absent: Supervisors Hongisto Kennedy	Absent: Supervisors Hongisto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
203-90-2

NOV 06 '90
Date Approved

Mayor

As amended in committee
10/23/90

As amended in Board 10/29/90

FILE NO. 97-90-44

ORDINANCE NO. 365-90

[Bicycle Advisory Committee]
AMENDING CHAPTER 5 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING ARTICLE XIV, SECTIONS 5.130 THROUGH 5.132 THERETO, TO CREATE A BICYCLE ADVISORY COMMITTEE.

NOTE: These sections are entirely new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings.

The Board of Supervisors finds and declares that it is in the public interest to officially recognize the bicycle as a viable and most desirable transportation option. The development and implementation of a strong bicycle policy, including: bicycle routes, secure parking, improved public transit-bicycle interface, and educational programs for cyclists and drivers to promote the safe sharing of the public roadways must be given a priority in transportation planning.

In San Francisco, as throughout the world, the quality of urban life is being threatened by an unprecedented environmental crisis. San Franciscans suffer from poor air quality, elevated noise levels, and diminished public space. The single greatest contributing condition to this environmental crisis is reliance on the private automobile for primary transportation. Cars emit 60% of smog-causing gases and 80% to 90% of carbon monoxide. The proliferation of automobiles has also resulted in the sacrifice of valuable inner city green spaces and public walkways.

The Board of Supervisors finds and declares that transportation alternatives to the private automobile are desirable, with bicycles representing one of the best alternatives. Not only do bicycles help to mitigate the environmental crisis, but those who ride them enjoy improved mental and physical health and increased productivity. Many San Franciscans already use and enjoy bicycles within the City for recreation and transportation. With more effective planning, the number of residents who can safely and conveniently chose to cycle will increase to the benefit of all.

San Francisco enjoys many unique characteristics which make it ideal for transportation by bicycle. Its year round mild climate, small land area, and network of neighborhood streets are factors that permit safe and convenient bicycle use. San Francisco is well-known as a city of neighborhoods and small businesses. Replacing car transportation with bicycle transportation reduces travel distance, and hence, promotes and secures the viability of businesses and neighborhoods.

Section 2. Chapter 5 of the San Francisco Administrative Code is hereby amended by adding Article XIV, Sections 5.130 through 5.132 thereto, to read as follows:

ARTICLE XIV

BICYCLE ADVISORY COMMITTEE

SEC. 5.130. Bicycle Advisory Committee Established. There shall be established a Bicycle Advisory Committee (hereinafter Advisory Committee) of the City and County of San Francisco. This Advisory Committee, composed of concerned and informed residents, will provide the best single source of expertise and perspective for transportation planners. Effective planning is the key to reducing reliance on automobiles, and, in turn, the ultimate solution to the broad environmental crisis we presently face.

NOV 2

The Advisory Committee shall consist of 11 voting members appointed by the Board of Supervisors. The members shall consist of representatives from each of the following categories:

3 representatives from bicycling organizations
1 representative from the bicycle industry
2 representatives from environmental organizations
5 at large bicyclists

In addition to the eleven voting members, the following City departments will each provide a non-voting representative to attend Advisory Committee meetings: the Police Department, the Department of Public Works, the Municipal Railway, the Department of City Planning, and the Bureau of Engineering of the Department of Parking and Traffic. The Board of Supervisors also requests that the San Francisco Unified School District and the Golden Gate National Recreation Area each be asked to send a non-voting representative to the Advisory Committee.

10/29/90
ejp

SEC. 5.131. Organization and Terms of Office (a) The term of each member of the Advisory Committee shall be three (3) years; provided, however, that the members first appointed shall, by lot, classify their terms so that three (3) members shall serve a one-year term, four (4) members shall serve a two-year term, and four (4) members shall serve a three year term.

(b) In the event a vacancy occurs during the term of office of any member, a successor shall be appointed to complete the unexpired term of the office vacated in a manner similar to that for the initial member.

(c) At the initial meeting of the Advisory Committee, and yearly thereafter, the Advisory Committee members shall select such officers as deemed necessary by the Advisory Committee.

(d) The Advisory Committee shall establish rules and regulations for its own organization and procedures and shall meet when necessary as determined by the Advisory Committee. All meetings shall, except as provided by law, be open to the public.

SEC. 5.132. Powers and Duties. The Advisory Committee shall have the power and duty to:

(a) Set up subcommittees as necessary;

b) Develop a plan for bicycle related improvements, including but not limited to bicycle routes, secure parking, and transit interface, and make recommendations to the Parking and Traffic Department, the Transportation Authority, and the Board of Supervisors on related funding from local, State, and Federal agencies, including, but not limited to Transportation Development Act funds and Transportation Authority funds;

(c) Review the policies and programs related to bicycling in the Transportation Element of the Master Plan of the City and County of San Francisco, and make recommendations on the goals and their implementation to the Planning Commission of the City and County of San Francisco;

(d) Develop a plan for outreach to, and education of, the public to promote the safe sharing of public roadways, and submit the plan to the Transportation Authority.

kg 10/23

Section 2. Report.

The Advisory Committee shall present to the Board of Supervisors by January 1, 1992, a report of the Committee's activities, and a summary of its progress toward fulfilling the duties delegated to it by this Section.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore R Kelley
Deputy City Attorney

SUPERVISORS WALKER, BRITT AND HSIEH, ALIOTO AND MAHER

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
October 29, 1990	November 5, 1990
Ayes: Supervisors Alioto Britt Ward Gonzalez Hallinan Hongisto Hsieh Kennedy Maher Nelder Walker	Ayes: Supervisors Alioto Britt Hongisto Hsieh Kennedy Maher Nelder Walker
	Absent: Supervisors Gonzalez Ward Hallinan

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L Taylor
Clerk

File No. 97-90-44

NOV. 9 1990
Date Approved

Mayor

Returned to the Clerk of the Board on November 13, 1990.

John L Taylor
Clerk

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NOV 2

FILE NO. 42-38-47

ORDINANCE NO. 366-84

FILE NO. 45-90-47

ORDINANCE NO. 366-90

RO ##90070

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF EDRA SCHAEFFER AND HEIDI SCHAEFFER AGAINST THE CITY AND COUNTY OF SAN FRANCISCO, ET AL. FOR $6,250.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "EDRA SCHAEFFER and HEIDI SCHAEFFER v. CITY AND COUNTY OF SAN FRANCISCO, et al.", Municipal Court No. 014-284, BY THE PAYMENT OF $6,250.

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED

FRED POSTEL
Chief, San Francisco Fire Department

FUNDS AVAILABLE:

SAMUEL YOCKEY
Controller

01 001 97 09 31
309773 1450 $6,250.00
SEP 19 1990

APPROVED:
FIRE COMMISSION

SECRETARY

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
October 29, 1990	§	November 5, 1990
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Nelder Walker	§	Ayes: Supervisors Alioto Britt Gonzalez Hongisto Hsieh Kennedy Maher Nelder Walker
Absent: Supervisors Hongisto Ward	§	Absent: Supervisors Hallinan Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
45-90-47

NOV 13 '90
Date Approved

Mayor

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FILE NO. 45-90-49

ORDINANCE NO. 167-90

FILE NO. 45-90-49

ORDINANCE NO. 367-90

RO #90075

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF BONNIE PIERSOL AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $7,750.00.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "Bonnie Piersol v. City and County of San Francisco, et al.," Municipal Court No. 039-620, by the payment of $7,750.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

for RICHARD J. EVANS
Director

FUNDS AVAILABLE:

CONTROLLER

01 001 97 09 90
309674 1450 $7,750.00

SEP 26 1990

APPROVED:

CHIEF ADMINISTRATIVE OFFICER

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
October 29, 1990	November 5, 1990
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Nelder Walker	Ayes: Supervisors Alioto Britt Gonzalez Hongisto Hsieh Kennedy Maher Nelder Walker
Absent: Supervisors Hongisto Ward	Absent: Supervisors Hallinan Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-90-49

NOV 13 1990

Date Approved

Mayor

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NOV 2

FILE NO. 45-90-50

ORDINANCE NO. 368-90

RO #90084

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF HENDERSON AGAINST THE CITY AND COUNTY OF SAN FRANCISCO.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "HENDERSON AGAINST THE CITY AND COUNTY OF SAN FRANCISCO, et al" (USDC No. C87-1971 -- Superior Court No. 867-802), by the payment of Ten Thousand Dollars ($10,000.00).

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

SAN FRANCISCO POLICE DEPARTMENT

FRANK JORDAN

FUNDS AVAILABLE:

SAMUEL D. YOCKEY
Controller

01 001 97 09 38
309781 1450 $10,000.00

OCT 0 3 1990

APPROVED:

SAN FRANCISCO POLICE COMMISSION

WILLIE FRAZIER
Secretary

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
October 29, 1990	§	November 5, 1990
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Nelder Walker	§	Ayes: Supervisors Alioto Britt Gonzalez Hongisto Hsieh Kennedy Maher Nelder Walker
Absent: Supervisors Hongisto Ward	§	Absent: Supervisors Hallinan Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-90-50

NOV 13 '90
Date Approved

Mayor

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NOV 2

AS AMENDED IN COMMITTEE 10/10/90

FILE NO. 47-90-12 ORDINANCE NO. 369-90

(Garage Lease Documents)

APPROVING AND ADOPTING LOMBARD STREET GARAGE LEGAL DOCUMENTS AND AUTHORIZATION TO LEASE

Be it ordained by the people of the City and County of San Francisco:

Section 1. In accordance with the recommendation of the Parking Authority of the City and County of San Francisco, there has been filed with the Clerk of the Board certain documents which consist of:

1. Form of Invitation for Bids
2. Form of Bid
3. Form of Questionnaire
4. Form of Lease as amended by the Board of Supervisors.

e 10/10/90

Section 2. The legal documents are hereby approved in substantially the form now filed in the office of the Clerk of the Board of Supervisors and are made a part hereof by reference.

Section 3. The Director of Property is authorized to call for bids for said lease pursuant to and in accordance with the Invitation for Bids and Bid Form.

RECOMMENDED:

Director, Parking Authority

Director of Property

APPROVED AS TO FORM:
LOUISE RENNE, City Attorney

By Julian E. Halligan
Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
October 29, 1990	§	November 5, 1990
	§	
	§	
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Nelder Walker Ward	§	Ayes: Supervisors Alioto Britt Gonzalez Hongisto Hsieh Kennedy Maher Nelder Walker
	§	
	§	
Absent: Supervisors Hongisto	§	Absent: Supervisors Hallinan Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
47-90-12

NOV 08 '90
Date Approved

Mayor

FILE NO. 97-90-49 ORDINANCE NO. 370-90

AMENDING ARTICLE XIII, SECTION 10.117-24, SAN FRANCISCO ADMINISTRATIVE CODE, RELATING TO THE SPECIAL PUBLIC HEALTH LABORATORY FUND.

Note: Additions are indicated by <u>underlined</u> type; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1: Article XIII, Section 10.117-24 of the San Francisco Administrative Code is hereby amended to read as follows:

SEC. 10.117-24. PUBLIC HEALTH LABORATORY FUND.

(a) Establishment of Fund. There is hereby established a special fund for the purpose of receiving fees and gifts collected for the benefit of the Public Health Laboratory. Said fund shall be known as the "Special Public Health Laboratory Fund."

(b) Use of Money in Fund. Said special fund shall be used solely for the following purposes:

(1) purchase of required materials for the conduct of laboratory educational programs (manuals, books, audio tapes, audio-visual aids);

(2) staff development program in support of laboratory activities including travel, tuition, and fees; and

(3) other expenses incidental to laboratory enhancement including equipment, materials and supplies.

(c) Administration and Expenditures from Funds. The monies shall be set aside for the aforementioned purposes and expenditures shall be approved by the Director of Health and the ((Chief Administrative Officer.)) <u>Health Commission.</u>

Any unexpended balance remaining in said Special Public Health Laboratory Fund at the close of any fiscal year shall be deemed to have been provided for a specific purpose within the meaning of the provisions of Section 6.306 of the Charter and shall be carried forward and accumulated in said special fund for the purpose recited herein.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By Carlen Johnson
Deputy City Attorney

RECOMMENDED:

Florence Stroud
Florence Stroud
Director of Health

Sandy Ouye Mori
Health Commission

DOCUMENTS DEPT.
NOV 2

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
October 29, 1990	§	November 5, 1990
	§	
	§	
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Nelder Walker Ward	§	Ayes: Supervisors Alioto Britt Gonzalez Hongisto Hsieh Kennedy Maher Nelder Walker
	§	
	§	
Absent: Supervisors Hongisto	§	Absent: Supervisors Hallinan Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
97-90-49

NOV 13 '90
Date Approved

Mayor

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE SECTION 16.55-6 THEREOF, REGARDING RECIPROCITY BETWEEN THE RETIREMENT SYSTEM AND OTHER PUBLIC AGENCY PENSION PLANS.

NOTE: Additions are underlined. Deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 16, Article IV, Section 16.55-6 of the San Francisco Administrative Code is hereby amended to read as follows:

Section 16.55-6 Reciprocal Benefits

This section shall extend the following rights in the Retirement System to members of any other public agency retirement system (hereinafter "reciprocal system") which adopts similar reciprocal provisions in their retirement ordinances or plans pursuant to Sections 20042, 20043, 31840.2 and 45310.5 of the Government Code, and who by contract agree to extend the benefits thereof to the Retirement System; provided that such member enters employment and becomes a member under the Retirement System of the reciprocal system within six months of terminating his or her employment under such other reciprocal system or the Retirement System.

(a) Notwithstanding any provisions of the Retirement System or a reciprocal system plan in the matter of vesting, any member subject to Charter sections

8.509, 8.559, 8.584, 8.585, 8.586 and 8.588 whose movement between systems occurs as herein specified shall have the right to elect to leave his or her accumulated contributions on deposit irrespective of the amount of such contributions or length of service. Interest on said accumulated contributions shall accrue at plan rates. If a member does not vest or qualify for a reciprocal benefit the member shall receive a refund of contributions plus interest.

(b) The average monthly salary during any period of service as a member of a reciprocal system shall be considered compensation earned or earnable by a member of the Retirement System for purposes of computing final average compensation for such member according to the applicable Charter provisions, provided the member retires concurrently under both systems and is credited with such period of service under one reciprocal system at the time of retirement.

(c) For the sole purpose of meeting minimum service qualifications for benefits and retirement allowances under the Retirement System, service shall also include service rendered as an officer or employee of a reciprocal system if the salary for such service constitutes compensation earned or earnable by a member of this system. For police and fire members of the Retirement System subject to

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Charter sections 8.559, 8.585, 8.586 and 8.588, if Retirement System service is less than 25 years at the time of retirement, the member shall receive a pro rata portion of the benefit for 25 years of service. Police and Fire members of the Retirement System subject to Charter sections 8.559, 8.585, 8.586 and 8.588, with 25 or more years of service credit with the Retirement System, shall receive benefits based on Retirement System service only as defined by Charter sections 8.559, 8.585, 8.586 and 8.588.

(d) Any retirement or death allowance payable to or on account of a police or fire member of the Retirement System subject to Charter sections 8.559 and 8.585 shall be adjusted in accordance with the provisions of Charter sections 8.559-6 and 8.585-6, provided that any increase or decrease shall be related to the rank or position that said member held for at least one year immediately prior to terminating city service and provided further that if the member's accrued service credit is less than 25 years, the Charter section 8.559-6 and 8.585-6 adjustments will be multiplied by a fraction where the denominator is 25 and the numerator is equal to the member's accrued service credit at the date of termination of City service.

((d)) (e) A member shall be retired for disability and receive a retirement allowance based on the service credited

to him or her at the time of retirement during any period in which he or she receives a disability retirement allowance under a reciprocal system; provided, that such allowance shall not exceed an amount which when added to the allowance paid under the reciprocal system equals the allowance which would be paid for a non-service connected disability if all the member's service had been credited under the reciprocal system; and provided further, that such allowance shall in no event be less than an annuity which is the actuarial equivalent of the member's contributions, whether or not the disability is for service connected reasons. The minimum allowance provisions of the City charter will not be applied if the member has less than 10 years of credited service under the Retirement System. In such a case, the disability allowance paid by the retirement system shall be based on San Francisco service only.

((e)) (f) The death benefit for a member who dies from non-industrial causes as a member of a reciprocal system shall not exceed an amount which when added to the death benefit paid for such member under the reciprocal system equals the death benefit payable under that system had all reciprocal service been rendered under that system; provided, however, that such death benefit shall be at least the amount of the member's accumulated contributions in the Retirement System. If death is caused by industrial

injury or disease in the reciprocal system, the death benefit shall be the amount of the member's accumulated contributions in the Retirement System.

For a member of the Retirement System who dies from non-industrial causes, the minimum allowance provisions will not be applied if the member needs service rendered in a reciprocal system to meet minimum service qualification for a survivor allowance. In such a case, the allowance paid by the Retirement System shall be based on San Francisco service only.

((f)) (g) The Retirement Board shall on the request of a reciprocal system supply information and data necessary for administration of such system as it affected by membership in and service credited under the Retirement System.

((g)) (h) Interpretation of this section shall be made consistent with the city charter and with reference to interpretations that have been made relative to the reciprocal benefit provisions of the Public Employees' Retirement System and 1937 County Employees' Retirement Act upon which this section is based and which this section is intended to implement. This section shall not apply to members who transfer solely within the Retirement System between miscellaneous, police and fire plans.

((h)) (i) These provisions shall apply only to a member whose termination and entry into employment resulting in a change in membership from the Retirement System to such other reciprocal system or from such other reciprocal system to the Retirement System occurred after such acceptance by the Board of Supervisors or after the effective date specified in the agreement; provided, however, that provisions relating to computation of final compensation shall apply to any other member if such provision would have applied had the termination and entry into employment occurred after such acceptance or determination by a system's governing board.

((i)) (j) Reciprocal rights under this Section shall be modified as necessary to conform to amendments to the Public Employees' Retirement Law or the County Employees' Retirement Law of 1937 as provided in Government Code Section 20042.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Dan Maye
Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
October 29, 1990	§	November 5, 1990
	§	
	§	
Ayes: Supervisors Alioto Britt Ward Gonzalez Hallinan Hongisto Hsieh Kennedy Maher Nelder Walker	§	Ayes: Supervisors Alioto Britt Gonzalez Hongisto Hsieh Kennedy Maher Nelder Walker
	§	
	§	Absent: Supervisors Hallinan Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
97-90-52

NOV 13 '90
Date Approved

Mayor

FILE NO. 101-90-20 ORDINANCE NO. 372-90

RO #90073 SA #10

(GOVERNMENT FUNDING)

APPROPRIATING $537,000 FOR PERMANENT SALARIES - MISCELLANEOUS AND TEMPORARY SALARIES AND RELATED MANDATORY FRINGE BENEFITS AND THE CREATION OF EIGHT (8) POSITIONS, RECREATION AND PARK FOR FISCAL YEAR 1990-91, SUBJECT OF PREVIOUS BUDGETARY DENIAL.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
42-01-00	Recreation and Park		
G.L. 904 (000026)	Unappropriated Revenue Retained		
Subsidiary 000042	Sharon Art Studio	$200,000	
Subsidiary 000043	Swimming Pools	256,000	
99-9990 (162289)	Revenue Transfer In From #02-229; Special Revenue Fund	67,250	
01-0010 (620427)	Permanent Salaries		$126,906
02-0200	Temporary Salaries		327,172
04-0600	Retirement		35,000
04-0606	Social Security		11,300
04-0607	Social Security - Medicare		2,478
04-0610	Health Service		20,000
04-0620	Unemployment Insurance		394
	Total - General Fund	$523,250	$523,250
02-229	Special Revenue Fund		
42-01-00	Recreation and Park		
82-8287 (052308)	Sundry Rents	$ 55,000	
82-8245 (052308)	Swimming Pool Funds	26,000	
49-4900 (847707)	Revenue Transfer Out To #01-001; General Fund		$ 67,250
11-1300 (620435)	Materials and Supplies		13,750
	Total - Special Revenue Fund	$ 81,000	$ 81,000

Section 2. Funds are hereby appropriated for (8) positions created by amendment to the Annual Salary Ordinance (Board of Supervisors' File No. 102-90-5 as follows:

Classification	Rate	Created	Deleted
3260A Craft Instructors	$1042B1261	8	

Section 3. This ordinance is adopted by a two-thirds vote of all members of the Board of Supervisors pursuant to Section 6.306 of the Charter. These items were previously requested by Budget Estimate and denied by the Mayor.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE: The Controller shall not make payments unless the ordinance is passed by at least eight votes as required by Charter Section 6.306.

Samuel D. Yockey Dy
CONTROLLER

CIVIL SERVICE COMMISSION:

BY: John J. Walsh FK
GENERAL MANAGER, PERSONNEL

ac(ADM1035/37-38)

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Board of Supervisors, San Francisco

Passed for Second Reading

October 29, 1990

Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Nelder Walker Ward

Absent: Supervisors Hongisto

Finally Passed

November 5, 1990

Ayes: Supervisors Alioto Britt Hongisto Hsieh Kennedy Maher Nelder Walker

Absent: Supervisors Gonzalez Ward Hallinan

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-90-20

NOV 13 '90

Date Approved

Mayor

FILE NO. 102-90-5 ORDINANCE NO. 373-90

PUBLIC EMPLOYMENT SAL.ORD.AMEND.NO. 4

AMENDING ORDINANCE NO. 288-90 (ANNUAL SALARY ORDINANCE, 1990-91) REFLECTING THE RESTORATION OF EIGHT POSITIONS IN THE RECREATION AND PARK DEPARTMENT.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated items and section of Ordinance No. 288-90 (Annual Salary Ordinance, 1990-91) are hereby amended so that the same shall read as follows:

(Amendment)	No. Pos.	Class & Item No.	Class & Title	Compensation Schedule
		Dept.:	42 Recreation and Park Commission	
		Division:	01 Recreation	
		Section:	00 Recreation	
		Program:	5202 Recreational Act & Com. Svcs	
		Fund:	01001 General Fund	
		Index:	620427 Recreation-General Fund Exp.	
		Proj/Phase:	000/00 Unassigned Title	
		Object:	001 Permanent Salaries-Misc.	
8 added	8	3260	A Crafts Instructor	Z $1042B1261

APPROVED AS TO CLASSIFICATION:
CIVIL SERVICE COMMISSION

John J. Welch
GENERAL MANAGER, PERSONNEL

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

NO. 4

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
October 29, 1990	November 5, 1990
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Nelder Walker Ward	Ayes: Supervisors Alioto Britt Hongisto Hsieh Kennedy Maher Nelder Walker
Absent: Supervisors Hongisto	Absent: Supervisors Gonzalez Ward Hallinan

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No. 102-90-5

NOV 13 '90
Date Approved

Mayor

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FILE NO. 97-90-50 ORDINANCE NO. 374-90

(Animal Care & Control Department)

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE, CHAPTER 10, ARTICLE XV, SECTION 10.169-7, TO INCREASE THE AMOUNT OF THE ANIMAL CARE AND CONTROL DEPARTMENT REVOLVING FUND FROM $2,000 TO $5,000.

Note: Additions are indicated by underlining; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 10, Article XV, Section 10.169-7 of the San Francisco Administrative Code is hereby amended to read as follows:

Sec. 10.169-7 Cash Revolving Funds - Animal Care and Control Department; (($2,000)) $5,000.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: _____
Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
November 5, 1990	§	November 13, 1990
Ayes: Supervisors Alioto Britt Gonzalez Hongisto Hsieh Kennedy Maher Nelder Walker	§	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Walker
Absent: Supervisors Hallinan Ward	§	Absent: Supervisors Hongisto Maher Nelder Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No. 97-90-50

NOV 16 '90
Date Approved

_____
Mayor

AS AMENDED IN COMMITTEE
10/31/90

FILE NO. 32-90- 3 ORDINANCE NO. 375-90

(CABLE TELEVISION FRANCHISE REVISIONS)

AMENDING ORDINANCE NO. 105-64 BY AMENDING SECTION 8, RELATING TO CABLE TELEVISION FRANCHISE, BY DELETING MATCHING FUND REQUIREMENT FOR PUBLIC ACCESS FUNDING, AND BY URGING THE NOT-FOR-PROFIT CORPORATION TO RAISE FUNDS FROM NON-CITY SOURCES.

10/31/90 e

NOTE: Addition or substitutions are <u>underlined</u>; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Section 8 of Ordinance No. 105-64 is hereby amended to read as follows:

SECTION 8(a). Within thirty (30) days after the date that the ordinance granting this franchise becomes effective, the Grantee shall pay to the City the sum of Two Thousand Five Hundred and no/100 dollars ($2,500) as a purchase price of the franchise hereby granted.

The Grantee shall, during the remaining term of this franchise and during any holding over thereafter, beginning at this date when this ordinance shall legally take effect, and as a consideration for the granting thereof, and in consideration of the amendments to this franchise mutually agreed upon by the Grantee and the City, pay to the City as a Franchise and permit fee and as further compensation for the rights and privileges granted hereunder, the sum equal to five percent (5%) of its total gross receipts from Community Antenna System customers as defined in Section 19 hereof.

The Grantee shall provide the Committee with an annual projection of the amount of franchise tax proceeds to be paid to the City during the next calendar year.

The Grantee shall provide the Committee with the annual projection report in November of the year which precedes the year projected. The projection report shall be revised quarterly to reflect changes that occur during the course of the twelve month period.

The five percent (5%) fee on gross receipts shall be paid in the following manner.

The Grantee shall pay the five percent franchise fee to the Controller who shall deposit 4.8% of the Gross Receipts into the City's General Fund and shall deposit two tenths of one percent (0.2%) of the gross receipts into the Cable Television Access and Development Fund for public, educational, and municipal access activities. Public access functions shall be performed by a not-for-profit corporation. This shall be funded by a contract between the Board of Supervisors and a not-for-profit corporation which will receive not less than one-third (1/3) of the 0.2% portion of the franchise fee. ((provided, however, that such payment by the City shall not exceed funds which the not-for-profit corporation receives from non-city sources.)) <u>The not-for-profit corporation is urged to raise funds from non-City sources that meet or exceed ten percent of the portion of the franchise fee provided to the corporation by the City.</u>

10/31/90 e

The not-for-profit corporation's purpose, functions and responsibilities shall include the following:

a. Promoting and encouraging the use of public access cable to serve the needs of citizens, civic organizations, cultural and arts organizations, ethnic and minority communities, and other community users in San Francisco.

b. Soliciting and applying for and receiving contributions, grants, donations and loans of all types from individuals, organizations, corporations, foundations and

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DEC 2

government agencies to support the not-for-profit corporation's activities.

c. Training individuals and non-profit organizations to produce video programming of interest to the community.

d. Advising the Committee on matters pertaining to public access.

e. Entering into agreements with Grantee to effect the purposes of the corporation.

f. Consulting with Grantee on a regular basis regarding operation of Channel 25.

Municipal and educational access functions shall be funded by using that portion of the 0.2% franchise fee not used for public access.

Said basis of computations has been hereby agreed upon between the parties hereto as a convenient and proper method of measuring the amount which the Grantee shall annually pay as a franchise fee for the enjoyment of the franchise granted hereunder.

Such fee shall be paid to the City quarterly and the payment thereof shall be due on or before the end of each period of ninety (90) days succeeding the close of each quarter of the calendar year during which this franchise is in effect.

The term "quarter of a calendar year" shall include any fraction thereof which may elapse from the granting of this franchise to the close of the next succeeding quarter of a calendar year, and also any fraction of a quarter which may elapse from the close of the last calendar quarter under this franchise to the date of its actual termination.

Such payment shall be accompanied by a statement duly verified before a notary public showing in detail the total gross

receipts as defined by Section 19 received by Grantee during the preceding calendar quarter.

The Grantee of this franchise and its successors or assigns, shall at all times keep and maintain a full, true and correct account of all the gross earnings and income arising out of operations under this franchise.

Their said books of accounts and all other records shall at all reasonable times be open to inspection and examination within the City by the Controller and his representatives, and by officers, agents and employees authorized by the Board of Supervisors of the City, and shall be kept in such form as to enable the Controller to ascertain and check the amounts due to the City and determine any other facts relative to operations under this franchise.

The right is reserved to the City of audit and recomputation of any and all amounts paid under this franchise and no acceptance of any payment made hereunder shall be construed as a release or as an accord and satisfaction of any claim the City may have for further or additional sums payable under the franchise or for the performance of any other obligation hereunder.

(b). In the discretion of the Chief of the Department of Electricity, the Grantee in each street, alley or other public places in which it may, after the effective date of this franchise, construct any underground conduit, shall provide and maintain throughout its system, without charge to the City, one continuous duct for the exclusive and permanent use by the City for the police, fire and civil defense communications facilities of the City.

/ / /

(c). Notice shall be given to the Chief of the Department of Electricity, thirty (30) days prior to the date of any construction work by Grantee regarding the location and extent of and type of facilities to be installed during any such construction provided that this provision shall not apply to installation of lateral services to individual customers.

APPROVED AS TO FORM

LOUISE H. RENNE
City Attorney

By Theodore R. Lakey
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 5, 1990	November 13, 1990
Ayes: Supervisors Alioto Britt Ward Gonzalez Hallinan Hongisto Nelder Kennedy Walker	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Kennedy Walker
Noes: Supervisors Hsieh Maher	Noes: Supervisors Hsieh
	Absent: Supervisors Hongisto Maher Nelder Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
32-90-3

NOV 16 '90
Date Approved

Mayor

DEC 3
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AS AMENDED IN COMMITTEE
11/7/90

AS AMENDED IN COMMITTEE
11/7/90

FILE NO. 62-90-4 ORDINANCE NO. 376-90

(Airport - Concession Lease Modification)

APPROVING MODIFICATIONS OF THE INTERNATIONAL TERMINAL PRINCIPAL CONCESSION LEASE AND AGREEMENT FOR RETAIL MERCHANDISING SALES LEASE BETWEEN DUTY FREE SHOPPERS LTD. AND CITY AND COUNTY OF SAN FRANCISCO, ACTING BY AND THROUGH ITS AIRPORTS COMMISSION.; RETROACTIVE TO OCTOBER 1, 1990.

11/7/90 e

Be it ordained by the People of the City and County of San Francisco:

SECTION 1. Pursuant to Section 7.402-1 of the Charter, the Board of Supervisors hereby approves the second Modification of the International Terminal Principal Concession Lease and Agreement for Retail Merchandising Sales Lease between Duty Free Shoppers, Ltd. and the City and County of San Francisco, acting by and through its Airports Commission, copies of which Modification are contained in Board of Supervisors' file number 62-90-4 ; retroactive to October 1, 1990.

11/7/90 e

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By _____
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
November 13, 1990	§	November 19, 1990
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Walker	§	Ayes: Supervisors Britt Gonzalez Hallinan Hsieh Maher Ward
Absent: Supervisors Hongisto Maher Nelder Ward	§	Absent: Supervisors Alioto Hongisto Kennedy Nelder Walker

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
62-90-4

NOV 21 1990
Date Approved

_____
Mayor

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FILE NO. 21-23-33

ORDINANCE NO. 177-10

FILE NO. 97-93-43 ORDINANCE NO. 377-97

(Professional Membership)

AMENDING CHAPTER 16, ARTICLE 1 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 16.6-16 THEREOF, TO ADD SIXTEEN NEW ORGANIZATIONS TO THE MEMBERSHIP LIST OF THE RECREATION AND PARK COMMISSION.

Note: Additions or substitutions are underlined: deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1 Chapter 16, Article I of the San Francisco Administrative Code is hereby amended by amending Section 16.6-16 thereof, to read as follows:

16.6-16 ~~REPRESENTATIVE~~ REPRESENTATION OF CITY AND COUNTY IN CERTAIN ORGANIZATIONS - RECREATION AND PARK DEPARTMENT.

American Association of Health and Physical Education.

American Association of Zoological Parks and Aquariums.

American Recreation Society.

American Association of Botanical Gardeners and Arboretum.

American Association of Museums.

American Bamboo Society.

American Camellia Society.

American Camping Association.

American Dahlia Society.

American Forestry Association.

American Fuchsia Society.

American Horticulture Society.

American Institute of Park Executives.

American Rhododendron Society.

American Rose Society.

Bedding Plants, Inc.

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(Professional Membership Con't)

California Association for Health and Welfare.

California Association of Harbormasters and Port Captains.

California Forest Soils Association.

California Horticultural Society.

California Marine Parks and Harbors Association, Inc.

California Park and Recreation Society, Inc.

California Travel Industry Association.

California Urban Forestry.

Captive Breeding Specialist Group of the International Union for Conservation of Nature (IUCN).

Chamber of Commerce.

Convention Visitors Bureau.

Forum, Strybing Arboretum Society.

Golden Gate Industrial Recreation Council (IRC).

Golf Course Superintendents Association of America.

Golf Course Superintendent's Association of Northern California.

Hotel Management Sales Association.

International Erosion Control Association.

International Geranium Society.

International Society of Arboriculture.

International Species Inventory System.

International Society of Special Events.

Madagasscar Fauna Captive Propagation Group.

Meeting Planners International.

National Arborists Association.

National Audubon Society.

National Parks and Grounds Management Association.

National Recreation and Park Association.

National Story Tellers League.

BOARD OF SUPERVISORS

(Professional Membership Con't)

National Tour Association.

Northern California Concierges Association.

Northern California Passenger Transportation Association.

North California Tour Travel Network Oakland IRC.

Northern California Youth Association.

Pacific Camping Federation.

Pacific Horticulture Foundation.

Perennial Plant Association.

Professional Grounds Management Society.

S.F. Bay Area Society of Association Executives.

Shoreline Planning Association of California, Inc.

Society of American Foresters.

Society of Municipal Arborists, Inc.

Soil Conservation Society of America.

Sports Turf Management Association.

The American Palm Society.

The California Native Plant Society.

The Golden Gate Audubon.

The International Erosion Control Association.

Toastmasters.

Travel Industry of America Association.

(Tri-County) Industry Recreation Council IRC.

Western Forestry and Conservation.

APPROVED AS TO FORM:

LOUISE H. RENNE, CITY ATTORNEY

By: Mara E. Rosales

MARA E. ROSALES

Deputy City Attorney

Recommended By: Mary E. Burns

MARY E. BURNS

General Manager

Recreation and Park Department

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
November 13, 1990	§	November 19, 1990
	§	
	§	
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Walker	§	Ayes: Supervisors Britt Gonzalez Hallinan Hsieh Maher Ward
	§	
	§	
Absent: Supervisors Hongisto Maher Nelder Ward	§	Absent: Supervisors Alioto Hongisto Kennedy Nelder Walker

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
97-90-45

NOV 21 1990
Date Approved

Mayor

DOCUMENTS DEPT.

DEC 3 1990

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AS AMENDED IN COMMITTEE
11/7/99

AS AMENDED IN COMMITTEE
11/7/90

FILE NO. 97-90-53

ORDINANCE NO. 378-90

RO #90068

(Revolving Fund)

AMENDING SECTION 10.151 OF ARTICLE XV OF THE SAN FRANCISCO ADMINISTRATIVE CODE TO CHANGE THE CASH REVOLVING FUND FOR THE PARKING AUTHORITY TO A CASH REVOLVING FUND FOR THE DEPARTMENT OF PARKING AND TRAFFIC AND TO INCREASE THE SAID CASH REVOLVING FUND FROM $500 TO ~~$10,000.~~ $5,000. 11/7/90 e

Note: Additions or substitutions are <u>underlined</u>; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Section 10.151 of Article XV of the San Francisco Administrative Code is hereby amended to read as follows:

SEC. 10.151. CASH REVOLVING FUNDS - ((PARKING AUTHORITY; $500)) <u>DEPARTMENT OF PARKING AND TRAFFIC; ~~$10,000.~~ $5,000.</u> 11/7/90 e

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Julian E. Pulliam
Deputy City Attorney

RECOMMENDED:

Rina Cutler
Rina Cutler, Executive Director
(Parking and Traffic Department)

APPROVED AS TO FUNDS:

By: Samuel D. Yockey
Controller

Funds subject to availability from Supplemental Appropriation Request No. 29 RO #90094 pending at the Board of Supervisors.

OCT 16 1990

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 13, 1990	November 19, 1990
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Walker	Ayes: Supervisors Britt Gonzalez Hallinan Hsieh Maher Ward
Absent: Supervisors Hongisto Maher Nelder Ward	Absent: Supervisors Alioto Hongisto Kennedy Nelder Walker

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 97-90-53

NOV 21 1990
Date Approved

Mayor

DOCUMENTS DEPT.
DEC 3 1990
SAN FRANCISCO PUBLIC LIBRARY

FILE NO. 97-90-53.1 ORDINANCE NO. 379-90

[Public Works Revolving Fund]

AMENDING SECTION 10.158 OF ARTICLE XV OF THE SAN FRANCISCO ADMINISTRATIVE CODE TO CHANGE THE CASH REVOLVING FUND FOR THE DEPARTMENT OF PUBLIC WORKS BY DECREASING THE AMOUNT OF THE FUND FROM $55,000 TO $50,500.

Note: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Section 10.158 of Article XV of the San Francisco Administrative Code is hereby amended to read as follows:

SEC. 10.158. CASH REVOLVING FUNDS -- PUBLIC WORKS; ((($55,000)) $50,500.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore R. Lakey
Deputy City Attorney

8920g 11/07/90

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 13, 1990	November 19, 1990
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Walker	Ayes: Supervisors Britt Gonzalez Hallinan Hsieh Maher Ward
Absent: Supervisors Hongisto Maher Nelder Ward	Absent: Supervisors Alioto Hongisto Kennedy Nelder Walker

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No. 97-90-53.1

NOV 21 1990
Date Approved

Mayor

DOCUMENTS DEPT.
DEC 3 19
SAN FRANCISCO

AS AMENDED IN COMMITTEE Finance
11/7/90

FILE NO. 101-90-21

ORDINANCE NO. 380-90

RO #90094 SA #29

(Government Funding)

11/7/90 e APPROPRIATING ~~$9,500~~ $4,500 TO INCREASE REVOLVING FUND AND RESCINDING ~~$9,500~~ $4,500 FROM PERMANENT SALARIES, DEPARTMENT OF PARKING AND TRAFFIC FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
02-071	Off Street Parking Fund		
36-01-00	Administration		
11/7/90 e 01-0010 (353201)	Permanent Salaries	$4,500 ~~$ 9,500~~	
11/7/90 e 19-1951 (353201)	Increasing Revolving Fund		$4,500 ~~$ 9,500~~

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Samuel D. Yockey
CONTROLLER

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 13, 1990	November 19, 1990
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Walker	Ayes: Supervisors Britt Gonzalez Hallinan Hsieh Maher Ward
Absent: Supervisors Hongisto Maher Nelder Ward	Absent: Supervisors Alioto Hongisto Kennedy Nelder Walker

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-90-21

NOV 21 1990
Date Approved

Mayor

DOCUMENTS DEPT.
DEC 3
PUBLIC LIBRARY

AS AMENDED IN COMMITTEE
11/7/90

FILE NO. 101-90-23

ORDINANCE NO. 381-90

RO #90093 SA #28

(GOVERNMENT FUNDING)

APPROPRIATING ~~$19,678~~ $5,477 FOR PERMANENT SALARIES AND RESCINDING ~~$19,678~~ $5,477 FROM PERMANENT SALARIES, DEPARTMENT OF PARKING AND TRAFFIC FOR FISCAL YEAR 1990-91; APPROVING IMMEDIATE FILLING OF VACATED POSITION OF 7276 ELECTRICIAN SUPERVISOR II.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
02-092	Road Fund		
36-05-03	Curb Painting/Striping		
01-0010 (353318)	Permanent Salaries	$ 2,824 ~~$ 9,792~~	
36-04-00	Traffic Engineering		
01-0010 (353276)	Permanent Salaries	2,653 ~~9,216~~	
36-05-01	Traffic Sign		
01-0010 (353300)	Permanent Salaries	-0- ~~670~~	
36-05-02	Traffic Signal		
01-0010 (353292)	Permanent Salaries		$ 5,477 ~~$ 19,678~~
	Total	$5,477 ~~$ 19,678~~	$ 5,477 ~~$ 19,678~~

Section 2. Funds are hereby appropriated for the immediate filling of (1) position as follows:

Fund: Road Fund

Department: Parking and Traffic

Classification	Rate
7276 Electrician Supervisor II	$2124 B 2582

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

CONTROLLER

APPROVED:
CIVIL SERVICE COMMISSION

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 13, 1990	November 19, 1990
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Walker	Ayes: Supervisors Britt Gonzalez Hallinan Hsieh Maher Ward
Absent: Supervisors Hongisto Maher Nelder Ward	Absent: Supervisors Alioto Hongisto Kennedy Nelder Walker

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-90-23

NOV 21 1990
Date Approved

Mayor

DOCUMENTS DEPT.
DEC 2 1990
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PUBLIC LIBRARY

FILE NO. 101-90-24 ORDINANCE NO. 382-90

S.C RO #90100 SA #59

(Government Funding)

APPROPRIATING $20,832 FOR RENTAL OF PROPERTY AND RESCINDING $20,832 FROM PERMANENT SALARIES, MAYOR'S OFFICE FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
25-14-00	Mayor - Operation		
01-0010 (323725)	Permanent Salaries	$ 20,832	
14-1460 (323725)	Rental of Property		$ 20,832

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Samuel D. Yockey Jr.
CONTROLLER

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 13, 1990	November 19, 1990
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Walker	Ayes: Supervisors Britt Gonzalez Hallinan Hsieh Maher Ward
Absent: Supervisors Hongisto Maher Nelder Ward	Absent: Supervisors Alioto Hongisto Kennedy Nelder Walker

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-90-24

NOV 21 1990
Date Approved

Mayor

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FILE NO. 121-90-9 ORDINANCE NO. 383-90

[Motor Vehicles for Hire]

AMENDING ARTICLE 16, PART II, OF THE SAN FRANCISCO MUNICIPAL CODE (POLICE CODE) BY MAKING FINDINGS, ADDING SECTION 1135.5 THERETO TO ESTABLISH A TEMPORARY FARE INCREASE FOR TAXICABS, AND PROVIDING A TERMINATION DATE.

NOTE: All language is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. FINDINGS.

(1) The August, 1990, invasion of Kuwait by the armed forces of Iraq has considerably disrupted the world oil market, causing a rapid increase in the cost of gasoline at both the wholesale and retail levels.

(2) Immediately prior to August, 1990, San Francisco taxicab companies were paying approximately 92 cents per gallon for gasoline, and selling it to their drivers for approximately 98 cents per gallon. Currently, taxicab companies are paying up to $1.35 per gallon, and are charging drivers $1.40 per gallon or more. Taxicab drivers are thereby earning $4.00 to $8.00 less per shift.

(3) Taxicab fares were last set in late 1986. Those rates were set to serve the public convenience and necessity by providing the people of San Francisco with affordable taxicab service while also allowing taxicab owners, operators and drivers a reasonable return. The escalation of fuel costs referred to above threatens to interfere seriously with the willingness and ability of taxicab operators to provide an acceptable level of taxicab services at the fare rates now in effect. The maintenance of an effective taxicab service is necessary in order to provide reliable and speedy transportation for the many residents of the City who rely upon taxis for their transportation for food, medical, work and family needs.

(4) The Board of Supervisors therefore finds that a temporary fare increase will promote the public convenience and necessity. This increase, in combination with the assurance by members of the San Francisco Taxicab Association that gate fees charged to drivers will not be increased during this temporary period, will ensure the continued availability of safe, affordable and efficient taxicab service throughout the City and County.

Section 2. Article 16, Part II, of the San Francisco Municipal Code (Police Code) is hereby amended by adding Section 1135.5. thereto, to read as follows:

SEC. 1135.5. TEMPORARY RATE INCREASE.

(a) Notwithstanding the provisions of Section 1135, the fare for the first one-sixth of a mile shall be increased by fifty cents to $1.90. All other provisions of Section 1135 shall remain in full force and effect. Notice of the fare increase approved by this ordinance shall be visibly and legibly posted during the effective period of this ordinance on the fare meter of each vehicle governed by this section.

(b) This fare increase shall expire the one-hundred eighty-first day after its effective date.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore R. Lakey
Deputy City Attorney

DOCUMENTS DEPT.
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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
November 13, 1990	§	November 19, 1990
	§	
	§	
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Walker	§	Ayes: Supervisors Britt Gonzalez Hallinan Hsieh Maher Ward
	§	
	§	
Absent: Supervisors Hongisto Maher Nelder Ward	§	Absent: Supervisors Alioto Hongisto Kennedy Nelder Walker

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
121-90-9

NOV 21 1990
Date Approved

Mayor

FILE NO. 45-90-51

ORDINANCE NO. 384-90

RO #90086

[SETTLEMENT OF LAWSUIT]

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "SUZANNE FERRY v. CITY AND COUNTY OF SAN FRANCISCO, Superior Court No. 852-788, by the payment of $10,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

for RICHARD EVANS, Director

APPROVED:

CHIEF ADMINISTRATIVE OFFICER

FUNDS AVAILABLE:

CONTROLLER

01 001 97 09 90
309674 1450 $10,000.00

OCT 0 5 1990

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 19, 1990	December 3, 1990
Ayes: Supervisors Britt Gonzalez Hallinan Hsieh Maher Ward	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Maher Walker
Absent: Supervisors Alioto Hongisto Kennedy Nelder Walker	Absent: Supervisors Kennedy Nelder Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

Clerk

File No. 45-90-51

DEC 6 1990

Date Approved

Mayor

DOCUMENTS DEPT.
DEC 14 1990

FILE NO. 45-90-52

ORDINANCE NO. 385-90

RO # 90088

[Settlement of Lawsuit]

AUTHORIZING SETTLEMENT OF LITIGATION OF THE CITY AND COUNTY OF SAN FRANCISCO VS. THOMAS AND FRANCOISE STONE FOR EIGHT HUNDRED FIFTY THOUSAND DOLLARS ($850,000).

Be it ordained by the people of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "CITY AND COUNTY OF SAN FRANCISCO VS. THOMAS AND FRANCOISE STONE," San Francisco Superior Court No. 915-870, by the payment of Eight Hundred Fifty Thousand Dollars ($850,000) and to take fee title and possession of the property at the time of payment.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

ANDREW W. SCHWARTZ
Deputy City Attorney

RECOMMENDED:

ANTHONY J. DeLUCCHI
Director of Property

MARY BURNS
Geneal Manager
Recreation & Park Dept.

FUNDS AVAILABLE:

Organization Code:	42 04 01
Fund Group-Fund Code:	02-221
Project Code:	670-01
Index Code:	375899
	2810

SAMUEL D. YOCKEY
CONTROLLER

OCT 16 1990

9318j

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 19, 1990	December 3, 1990
Ayes: Supervisors Britt Gonzalez Hallinan Hsieh Maher Ward	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Maher Walker
Absent: Supervisors Alioto Hongisto Kennedy Nelder Walker	Absent: Supervisors Kennedy Nelder Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-90-52

DEC 6 1990

Date Approved

Mayor

DOCUMENTS

DEC 14 1990

FILE NO. 45-90-53

ORDINANCE NO. 386-90

RO #90090

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF ANN BELL RATCLIFFE AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $6,000.00.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "ANN BELL RATCLIFFE v. CITY AND COUNTY OF SAN FRANCISCO, et al., Municipal Court No. 032-873, by the payment of $6,000.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

FRANK JORDAN, Chief
San Francisco Police Department

FUNDS AVAILABLE:

SAMUEL YOCKEY
Controller

01 001 97 09 38
309781 1450 $6,000.00

OCT 16 1990

APPROVED:

SECRETARY
San Francisco Police Commission

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 19, 1990	December 3, 1990
Ayes: Supervisors Britt Gonzalez Hallinan Hsieh Maher Ward	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Maher Walker
Absent: Supervisors Alioto Hongisto Kennedy Nelder Walker	Absent: Supervisors Kennedy Nelder Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

Clerk

File No. 45-90-53

DEC 6 1990
Date Approved

Mayor

DOCUMENTS DEPT.
DEC 14 1990

Ordinance No. 5275

File No. 90-90-3 Ordinance No. 387-90

(Landmarks)

DESIGNATING THE JACKSON BREWERY COMPANY COMPLEX AT 1475, 1477, 1479, 1479A, 1489 FOLSOM STREET AND 301-05, 315-319 AND 333 ELEVENTH STREET AS A LANDMARK PURSUANT TO ARTICLE 10 OF THE CITY PLANNING CODE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Board of Supervisors hereby finds that Jackson Brewery Company Complex located at 1475, 1477, 1479, 1479A and 1489 Folsom Street and 301-05, 315-319 and 333 Eleventh Street, being Lots 28A, 28B, 29, 30, 30A, 30B and 30C in Assessor's Block 3520, has a special character and special historical, architectural and aesthetic interest and value, and that its designation as a Landmark will further the purposes of, and conform to the standards set forth in Article 10 of the City Planning Code.

(a) Designation: Pursuant to Section 1004 of the City Planning Code, Chapter II, Part II of the San Francisco Municipal Code, the Jackson Brewery Company Complex is hereby designated as a Landmark, this designation having been fully approved by Resolution No. 12048 of the City Planning Commission, which Resolution is on file with the Clerk of the Board of Supervisors under File No. 90-90-3 and is incorporated herein and made a part of hereof as though fully set forth.

(b) Required Data: The description of the location and boundaries of the Landmark site, of the characteristics of the Landmark which justify its designation, and of the particular features that should be preserved are included in the said Resolution, and incorporated in this designating ordinance as though fully set forth.

APPROVED AS TO FORM:

LOUISE H. RENNE

CITY ATTORNEY

By K A Heuman

Deputy City Attorney

RECOMMENDED:

CITY PLANNING COMMISSION

By Dean L. Macris

Dean L. Macris

Director of Planning

Passed for Second Reading

Board of Supervisors, San Francisco

November 19, 1990

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, [redacted] Hsieh, [redacted] Maher, [redacted], [redacted], Ward.

[redacted]

Absent: Supervisors Hongisto, Kennedy Nelder, Walker

John Taylor Clerk

90-90-3 File No.

DEC 6 1990 Approved

Read Second Time and Finally Passed

Board of Supervisors, San Francisco

December 3, 1990

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, [redacted], Maher, [redacted], Walker, [redacted]

[redacted]

Absent: Supervisors Kennedy, Nelder Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John Taylor Clerk

Mayor

DEC 14 1990

FILE NO. 96-90-4 ORDINANCE NO. 388-90

(Sale of Surplus City Property)

ORDERING THE SALE OF A VACATED PORTION OF EAGLE STREET BETWEEN YUKON AND MONO STREETS, AND ADOPTING FINDINGS PURSUANT TO CITY PLANNING CODE SECTION 101.1.

Be It Ordained by the People of the City and County of San Francisco:

Section 1. On May 29, 1990, the Board of Supervisors adopted Resolution No. 406-90, approved by the Mayor on June 6, 1990, being a Resolution of a Declaration of Intention to Order the Vacation of Eagle Street as shown on Department of Public Works' Drawing No. SUR-1088, a copy of which is on file in the Office of the Clerk of the Board of Supervisors.

Section 2. On July 9, 1990, the Board of Supervisors adopted Ordinance No. 271-90, approved by the Mayor on July 13, 1990, being an Ordinance Ordering the Vacation of a Portion of Eagle Street Between Yukon and Mono Streets.

Section 3. The public interest and convenience require the sale of the vacated portion of Eagle Street to the following six adjoining property owners who have offered to purchase the portions of vacated Eagle Street adjoining their respective lots for the sum of $2,500 per parcel, which is the market value of each such parcel as determined by the Director of Property.

1. Vacated Portion of Eagle Street
   Adjoining Assessor's Block 2713, Lot 3C
   to Alice Thibeau
2. Vacated Portion of Eagle Street
   Adjoining Assessor's Block 2713, Lot 13
   to Jonathan Patrick Carr Trust
3. Vacated Portion of Eagle Street
   Adjoining Assessor's Block 2713, Lot 14
   to Sidney P. Rosenthal and Bruce R. Kline
4. Vacated Portion of Eagle Street
   Adjoining Assessor's Block 2713, Lot 15
   to Alan Lewis and Maureen Letton
5. Vacated Portion of Eagle Street
   Adjoining Assessor's Block 2713, Lot 16
   to Patricia G. Hass
6. Vacated Portion of Eagle Street
   Adjoining Assessor's Block 2713, Lots 18 & 19
   to Graeme Hanson and Arthur Ward, Jr.

Section 4. The Department of City Planning reported on January 10, 1989 that said sale is in conformity with the Master Plan and consistent with the Eight Priority Policies of City Planning Code Section 101.1, a copy of which report is on file with the Clerk of the Board of Supervisors.

Section 5. The Board of Supervisors adopts as its own and incorporates by reference herein, as though fully set forth, the findings made by the Department of City Planning, by its letter dated January 10, 1989, that the sale of said surplus portion of Eagle Street is consistent with the Eight Priority Policies of City Planning Code Section 101.1.

Section 6. The Mayor and the Clerk of the Board of Supervisors, on behalf of the City and County of San Francisco, are hereby authorized and directed to execute, and the Director of Property shall deliver, quitclaim deeds of the above-noted real property in San Francisco to the above-listed offerors, or their assignees.

RECOMMENDED:

Director of Property

APPROVED AS TO FORM:
Louise H. Renne, City Attorney

By Deputy City Attorney

2248

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
November 19, 1990	§	December 3, 1990
	§	
	§	
Ayes: Supervisors Britt Gonzalez Hallinan Hsieh Maher Ward	§	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Maher Walker
	§	
Absent: Supervisors Alioto Hongisto Kennedy Nelder Walker	§	Absent: Supervisors Kennedy Nelder Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
96-90-4

DEC 6 1990
Date Approved

Mayor

FILE NO. 97-90-46

ORDINANCE NO. 389-90

[General Assistance - Income Disregard]

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE, GENERAL ASSISTANCE PROGRAM, BY AMENDING SECTION 20.57 TO ADD MONTHLY ELIGIBILITY, ASSET DISREGARD, RETROSPECTIVE BUDGETING AND GRANT SUPPLEMENT PROVISIONS TO THE INCOME AND ASSET DISREGARD PROGRAM:

NOTE: Additions or substitutions are underlined;
Deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by amending Section 20.57 thereof, to read as follows:

SEC. 20.57. COMPUTATION AND PAYMENT OF AID GRANTS; AMOUNTS PAYABLE.

(a) For each eligible individual or for each eligible family of two or more persons who qualify for aid under the General Assistance Program, the maximum monthly amount of aid to which such recipients are entitled is listed below.

/ / /

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/ / /

/ / /

MAXIMUM GENERAL ASSISTANCE GRANT AMOUNT

Single Individual $235

Number of Eligible Person in Same Family

2 Persons . . . . . .$ 395

3 Persons . . . . . .$ 480

4 Persons . . . . . .$ 591

5 Persons . . . . . .$ 682

6 Persons . . . . . .$ 768

7 Persons . . . . . .$ 845

8 Persons . . . . . .$ 933

9 Persons $1022

10 Persons $1111

In the case of more than 10 persons in a family budget unit, an additional $25 each month shall be paid for each additional person in the family budget unit. For the purpose of this section, a family is defined as a group of persons living together who are related by the first degree of consanguinity.

(b) With respect to all recipients, initial aid payments shall be conditional upon completion of the Department orientation and evaluation program. In addition, with respect to each employable recipient, continuing aid shall be conditioned, at the option of the Department, upon either completion of 20 verifiable job applications per month and/or participation in a Department approved job counseling, vocational rehabilitation, drug or alcohol treatment or work assignment program. In addition, with respect to each unemployable recipient, continuing aid shall be conditioned upon application and pursuit of SSI/SSP benefits, if eligible, and participation in a Department approved rehabilitation program. Aid may be withheld, reduced, or discontinued for failure to meet these requirements.

(c) The Maximum General Assistance Grant may include a Municipal Railway Fast Pass or tokens as an in-kind grant, in which event the cost of the Municipal Railway Fast Pass or tokens to the Department of Social Services shall be deducted from the Maximum General Assistance Grant Amounts listed above to arrive at the Maximum Cash General Assistance Grant Amount which may be issued by means of warrants, vouchers or checks. The Municipal Railway Fast Pass or tokens shall be for the sole use of the recipient.

(d) The Maximum General Assistance Grant Amounts listed in Section 20.57(a) of this ordinance shall be adjusted automatically each July 1st beginning July 1, 1981, by the annual percentage cost of living increase or decrease to the Minimum Basic Standard of Adequate Care adopted by the California State Legislature in the Aid to Families with Dependent Children Program.

(e) The maximum monthly amount of aid for which an applicant is eligible shall be the Maximum General Assistance Grant Amount prorated as of the eligibility determination date, less any cash available to the applicant during that calendar month, and less the fair market value of any nonexempt personal property available to the applicant during that calendar month. Rent, retroactive to the first of the month in which eligibility was determined, may be authorized to prevent eviction from existing housing.

(f) The maximum monthly amount of aid for which a recipient is eligible shall be the Maximum General Assistance Grant Amount, or the amount determined pursuant to Section (b) less any cash received from sources other than General Assistance which is or will be available to the recipient during the month for which aid is paid, and less the fair market value of any nonexempt personal property which is or will be available to the recipient during the month for which aid is paid.

(g) No grant shall be issued for less than $5.

(h) To promote the transition of General Assistance ((clients)) recipients to gainful employment, the General Manager of the Department of Social Services may establish for a two year pilot period an Income and ((an)) Asset Disregard Program for ((the clients)) recipients who are employed ((for a two year pilot period)). The Income and Asset Disregard Program shall provide for disregarding a certain amount of gross income which a ((client)) recipient earns as wages and savings derived therefrom when determining a ((client's)) recipient's General Assistance Program eligibility and grant amount. The total amount of gross income disregarded shall not exceed the sum of the following amounts: (1) all of the first one hundred dollars ($100.00) of ((client)) recipient gross wage earnings; (2) two thirds (2/3) of the second one hundred dollars ($100.00) of ((client)) recipient gross wage earnings; (3) one half (1/2) of the third one hundred dollars ($100.00) of ((client)) recipient gross wage earnings; (4) one third (1/3) of the fourth one hundred dollars ($100.00) of ((client)) recipient gross wage earnings, and; (5) one fifth (1/5) of the fifth one hundred dollars ($100.00) of ((client)) recipient gross wage earnings. All ((client)) recipient gross wage earnings above five hundred dollars ($500.00) shall be offset on a dollar for dollar basis against the grant amount to which a ((client)) recipient would otherwise be entitled. In addition, for recipients participating in this program up to fifteen hundred dollars ($1,500.00) of recipient savings derived from the recipient's gross wage earnings shall be disregarded during the recipient's participation in this program and for up to three months thereafter. Also, if as a result of retrospective budgeting a recipient's total currently available financial resources in a month including his or her adjusted General

BOARD OF SUPERVISORS

Assistance grant, wages, and savings are less than the maximum General Assistance grant amount, the recipient shall be eligible for a grant supplement in the form of a rental expense voucher for unpaid rent in that month and up to $50 in cash so that the recipient's currently available financial resources may total up to the maximum General Assistance grant amount. This grant supplement is available a maximum of three times per year for program participants and is not available to recipients who quit a job without good cause.

((Client)) Recipient gross wage earnings are defined for purposes of this section as any income received by the ((client)) recipient as payment for a ((client's)) recipient's labor. This section supercedes the provisions of Subsection 20.55.2(m), Section 20.56.6, Subsections 20.56.10 (a) and (b), ((and)) Subsections 20.57 (e) and (f), and Subsections 20.59.10(d), (e) and (f) ((above)) when determining ((client)) recipient eligibility and when calculating the maximum monthly amount of aid for program participants.((clients who have wage earnings and assets derived from wage earning as set forth herein.)) All other ((client)) recipient income and assets shall continue to be offset on a dollar for dollar basis when calculating the grant amount to which a ((client)) recipient is otherwise eligible. For recipients participating in this program, General Assistance eligibility shall be determined on a monthly basis and a recipient's grant amount shall be adjusted for gross wage earnings on the basis of retrospective budgeting in the month following the recipient's receipt of wage income. Verified expenses which exceed the total sum of a participant's grant, wages, and savings in any given month create a rebuttable presumption of ineligibility for aid.

Every six months, commencing six months after the program is implemented, the General manager shall report to the Board of Supervisors and to the Mayor the progress and results of the program to date. At the end of the two year pilot period, the General manager shall report to the Board of Supervisors and to the Mayor the results of the pilot project, including at least the following information: (a) the costs and savings to the General Assistance and the Food Stamps Programs, (b) the number of ((clients)) recipients who utilize the income and asset disregards, (c) the number of ((clients)) recipients in the GATES program who utilize the disregards, (d) the amount of ((client)) recipient earnings for participants in the Income and Asset Disregard Programs, (e) the number of ((clients)) recipients who leave the General Assistance program due to earned income immediately following participation in the Income and Asset Disregard Programs.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By: Craig M. McCabe
CRAIG M. MCCABE
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading

November 19, 1990

Ayes: Supervisors Britt Gonzalez Hallinan Hsieh Maher Ward

Absent: Supervisors Alioto Hongisto Kennedy Nelder Walker

Finally Passed

December 3, 1990

Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Maher Walker

Absent: Supervisors Kennedy Nelder Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 97-90-46

DEC 6 1990

Date Approved

Mayor

FILE NO. 97-90-54 ORDINANCE NO. 390-90

(Housing Programs Fees Fund)

AMENDING CHAPTER 10 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION 10.117-100 THERETO, RELATING TO THE ESTABLISHMENT AND ADMINISTRATION OF A HOUSING PROGRAM FEES FUND.

Note: This entire section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 10, San Francisco Administrative Code is hereby amended by adding Section 10.117-100 to read as follows:

SEC. 10.117-100. HOUSING PROGRAMS FEES FUND.

(a) Establishment of Fund. There is hereby established a special fund, to be known as the Housing Program Fees Fund, for the purpose of supporting the City's efforts to provide affordable housing for persons and households of low and moderate income in the City. For the purposes of this Fund, "low and moderate income" shall mean incomes which are not greater than 120% of median for San Francisco, as defined by the United States Department of Housing and Urban Development.

(b) Use of Monies in Fund. Monies from the Fund may be used for the following purposes:

(1) To pay the costs of the Mayor's Office of Housing for administering housing programs for which administrative funding is not otherwise available from the City's General Fund, federal or state grants, or other sources of administrative funding. Such programs shall include the City's single family and multifamily housing mortgage revenue bond programs, the first time homebuyer programs, rental housing development programs, and the monitoring of units to ensure their continued affordability.

(2) To the extent that monies are available and not needed to cover current and anticipated future administrative costs described in subparagraph (1) and with the approval of the Board of Supervisors, to transfer said monies to the Affordable Housing Fund to make loans or

grants for the development of affordable housing in the City.

(c) Administration of Fund. The Mayor's Office of Housing shall administer the Fund, and in such capacity shall review the needs of administration of affordable housing program and the availability of monies from the Fund for other eligible purposes. Funds for administration of affordable housing programs shall be appropriated through the annual budget process or by supplemental appropriation for the Mayor's Office of Housing.

(d) Authorization to Expend. The Director of the Mayor's Office of Housing shall approve expenditures from the Fund, subject to the appropriations requirements set forth in Section (c) above.

(e) Accrual of Monies in Fund. Any unexpended balances remaining in the Fund at the close of any fiscal year shall be deemed to have been provided for a specific purpose within the meaning of Section 6.306 of the Charter, and shall be carried forward and accumulated in the Housing Programs Fees Fund for the purposes recited herein.

(f) Deposit of Monies in Fund. Monies from fees earned by the Mayor's Office of Housing in connection with the administration of affordable housing programs shall be deposited into the Housing Programs Fees Fund and used for the specific purpose defined in this Section 10.117-100 of the San Francisco Administrative Code. Such fees shall include, but not be limited to, fees from single family and multifamily housing mortgage revenue bonds as issuer or as administrator, fees from the California Natural Disaster Assistance Program, and fees from similar housing programs in which the City earns fees for services provided by the Mayor's Office of Housing. This Section 10.117-100 shall not authorize the Mayor's Office of Housing to levy fees for its services except as otherwise provided by ordinance or resolution of the Board of Supervisors.

(g) Reporting on Status of Fund. The Mayor's Office of Housing shall report annually to the Board of Supervisors on the current status of the Housing Program Fees Fund as a part of the annual budget process for the

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Mayor's Office of Housing, including the amounts of fees received and to be budgetted for administrative funding, and any recommendations deemed necessary to improve effectiveness of the Housing Program Fees Fund in achieving its purpose.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Ken Tajmar
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 19, 1990	December 3, 1990
Ayes: Supervisors Britt Gonzalez Hallinan Hsieh Maher Ward	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Maher Walker
Absent: Supervisors Alioto Hongisto Kennedy Nelder Walker	Absent: Supervisors Kennedy Nelder Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
97-90-54

DEC 6 1990
Date Approved

Mayor

FILE NO. 97-90-55 ORDINANCE NO. 391-90

(Tropical Hardwood Ban)

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING CHAPTER 12I THERETO, TO PROHIBIT THE USE, REQUISITION OR PURCHASE, DIRECTLY OR INDIRECTLY, BY ANY CITY OR COUNTY DEPARTMENT OR AGENCY, OF ANY TROPICAL HARDWOODS OR TROPICAL HARDWOOD PRODUCTS.

NOTE: This entire Chapter is new.

Be it ordained by the people of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by adding Chapter 12I thereto, to read as follows:

Chapter 12I

TROPICAL HARDWOOD BAN

SEC. 12I.1 FINDINGS.

The Board of Supervisors hereby finds and declares that:

1. The world's equatorial tropical rainforests are the Earth's oldest and richest terrestrial ecological systems. The tropical rainforests are home to half of all the Earth's plant and animal species as well as thousands of indigenous tribal peoples.

2. The tropical rainforests are being destroyed worldwide, through commercial logging, burning and overcutting, at a rate of 50,000 acres per day, and this rate is accelerating.

3. Over one-fourth of all rainforest destruction results from logging of the rainforests to support the international trade in tropical hardwoods.

4. The United States is the third largest importer of tropical hardwoods.

5. Deforestation of the tropical rainforests has been scientifically linked to atmospheric imbalance and global warming, known as the Greenhouse Effect, caused by increased concentrations of CO_2 in the global atmosphere. The effects of

global warming include drought, floods, melting of the polar ice caps and changes in weather patterns worldwide.

6. Destruction of the rainforest at the current rate results in the endangerment and extinction of 30 species of plant and animal life each day and a consequent loss of genetic diversity invaluable to the production of medicines and food products.

7. Tropical rainforest deforestation causes the displacement of indigeneous tribal peoples, many of whom have never before been contacted by the modern world. Displacement results in the death of these people and destruction of their culture, and loss of their intimate knowledge of commercial, medicinal and nutritional uses of rainforest species, which is often superior to that of any western-trained scientist.

8. It is critical to the survival of the planet that the United States and other industrialized nations take immediate measures to curb consumption of tropical hardwoods in order to halt the deforestation of the rainforests and to avert irreversible global environmental destruction.

9. Prohibiting the City and County's use of tropical hardwoods will contribute to this necessary reduction in the demand for tropical rainforest products. Such a prohibition would not create shortages of building supplies for the City, inasmuch as many acceptable non-tropical wood products of comparable quality are available.

10. Many equivalents to tropical woods are grown domestically in the United States. A prohibition on the City's use of tropical woods would therefore stimulate domestic business and create jobs for American timber workers.

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11. Under this Article the City and County of San Francisco wishes to exercise its power to make economic decisions involving its own funds as a participant in the market place and to conduct its own business as a municipal corporation to ensure that purchases and expenditures of public monies are made in a manner consistent with sound environmental policies and practices. The City enacts this article to prohibit the use, requisition or purchase, directly or indirectly, by any City or County department or agency, of any tropical hardwoods or tropical hardwood products.

SEC. 121.2 DEFINITIONS

As used in this Article, the following words and phrases shall have the meanings indicated herein:

"City" or "City and County" shall mean the City and County of San Francisco, or any department, board, commission or agency thereof.

"City funds" shall mean all monies or other assets received and managed by, or are otherwise under the control of, the Treasurer, and any notes, bonds, securities, certificates of indebtedness or other fiscal obligations issued by the City and County.

"Commodities" shall include, but not be limited to, goods, commodities, materials, supplies and equipment.

"Contract" shall include, but not be limited to, any contract, purchase order, term purchase agreement, revolving fund order, or other binding written obligation of the City and County.

"Contracting Officer" shall mean that officer or employee of the City and County authorized under the Charter, the Administrative Code or the Municipal Code, to enter into a contract on behalf of the City and County. "Contracting Officer"

shall include the Mayor, the Chief Administrative Officer, each department head or general manager and other employees of the City and County authorized to enter into contracts or other binding agreements on behalf of the City and County.

"Doing Business in the City and County" shall mean entering into or seeking to enter into a contract to provide goods or services to the City and County."

"Non-tropical Hardwood Equivalents" shall mean any and all hardwood that grows in any geographically temperate regions, as defined by the U.S. Forest Service, and is equivalent to tropical hardwood in density, texture, grain, stability or durability. Non-tropical hardwoods, the use or purchase of which shall be preferred under this article, shall include, but not be limited to the following species:

Scientific Name	Common Name
Fraxinus americana	Ash
Tilia americana	Basswood
Fagus grandifolia	Beech
Betula papyrifera	Birch
Juglans cinera	Butternut
Prunus serotina	Cherry
Poplus spp.	Cottonwood
Taxodium distichum	Cypress
Pseudotsuga menziesii	Douglas Fir
Ulmus spp.	Elm
Nyssa sylvatica	Black Gum
Liquidamber styraciflua	Red Gum
Celtis laevigata	Hackberry
Tsuga heterophylla	West Hemlock
Hicoria spp.	Hickory
Acer saccharum	Sugar Maple
Acer spp.	Soft Maple
Quercus spp.	Red Oak
Quercus spp.	White Oak
Hicoria spp.	Pecan
Pinus ponderosa	Ponderosa Pine
Pinus spp.	Yellow So. Pine
Liriodendron tulipiferia	Yellow Poplar
Picea sitchensis	Sitka Spruce
Platanus occidentalis	Sycamore
Juglans nigra	Black Walnut

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"Purchaser" shall mean the Purchaser of the City and County or any authorized representative of that official.

"Tropical Hardwood" shall mean any and all hardwood, scientifically classified as angiosperme, that grows in any Tropical Moist Forest. Tropical hardwoods, the use or purchase of which shall be governed by this article, shall include, but not be limited to, the following species:

Scientific Name	Common Name
Vouacapoua americana	Acapu
Pericopsis elata	Afrormosia
Shorea almon	Almon
Peltogyne spp.	Amaranth
Guibourtia ehie	Amazaque
Aningeria spp.	Aningeria
Dipterocarpus grandiflorus	Apitong
Ochrama lagopus	Balsa
Virola spp.	Banak
Anisoptera thurifera	Bella Rosa
Guibourtia arnoldiana	Benge
Detarium Senegalese	Boire
Guibourtia demeusil	Bubinga
Prioria copaifera	Cativo
Antiaris africana	Chenchen
Dalbergia retusa	Concobolo
Cordia spp.	Cordia
Diospyros spp.	Ebony
Aucoumea klaineanal	Gaboon
Chlorophora excelsa	Iroko
Acacia koa	Koa
Pterygota macrocarpa	Koto
Shorea negrosensis	Red Lauan
Pentacme contorta	White Lauan
Shorea polysperma	Tanguile
Terminalia superba	Limba
Aniba duckei	Louro
Khaya ivorensis	Africa Mahogany
Swietenia macrophylla	Amer. Mahogany
Tieghemella heckelii	Makore
Distemonanthus benthamianus	Movingui
Pterocarpus soyauxii	African Paduak
Pterocarpus angolensis	Angola Paduak
Aspidosperma spp.	Peroba
Peltogyne spp.	Purpleheart
Gonystylus spp.	Ramin
Dalbergia spp.	Rosewood
Entandrophragma cylindricum	Sapele
Shorea philippinensis	Sonora
Tectona grandis	Teak
Lovoa trichilioides	Tigerwood
Milletia laurentii	Wenge
Microberlinia brazzavillensis	Zebrawood

"Tropical Rainforests" shall mean any and all forests classified by the scientific term "Tropical Moist Forests," the classification determined by the equatorial region of the forest and average rainfall.

"Tropical Wood Products" shall refer to any wood products, wholesale or retail, in any form, including but not limited to veneer, plywood, furniture, cabinets, paneling, mouldings, doorskins, joinery, or sawnwood, which are composed of tropical hardwood. As used herein, the following words and phrases shall have the meanings indicated herein:

"Doorskin" shall mean a thin sheet of wood which is glued onto the frame of a door to form the face of the door.

"Moulding" shall refer to decorative wood used around window and doorframes, ceilings, and corners.

"Paneling" shall mean any thin sheet or sheets of attractive wood, intended to be used as wall covering including any sheet consisting of a veneer glued onto some backing material.

"Particle Board" shall mean any wood sheet or board created by compressing wood chips and particles from logs, trees or industrial residue.

"Plywood" shall mean any wood sheet created by gluing together thinner sheets (veneers) of any species.

"Sawnwood" shall mean lumber or any form of wood which is sawn or chipped lengthwise in either a rough or smooth cut.

"Veneer" shall mean a very thin slice of wood, between 1/16 inch to 1/125 inch in width, used in plywood, paneling, furniture exterior, and doorskins.

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SEC. 12I.3 CONTRACTUAL SERVICES.

A. Prohibited transactions.

1. The City and County shall not enter into or renew any contractual agreement with any person or entity for the provision of services, the performance of which calls for the use of any tropical hardwood or wood product.

2. In the case of any bid proposal or solicitation, request for bid or proposal or contract for the construction of any public work, building maintenance or improvement for or on behalf of the City and County, the City shall not require or permit the use of any tropical hardwood or wood product.

3. Every bid proposal, solicitation, request for bid or proposal and contract for the construction of any public work, building maintenance or improvement shall contain a statement that any bid, proposal or other response to a solicitation for bid or proposal which proposes or calls for the use of any tropical hardwood or wood product in performance of the contract shall be deemed non-responsive.

B. Non-applicability; Findings; Alternates.

1. Section 12I.3 shall not apply to bid packages advertised and made available to the public or any competitive and sealed bids received by the City entered into prior to the effective date of this Article.

2. Section 12I.3 shall not apply to any amendment, modification or renewal of a contract, which contract was entered into prior to the effective date of this Article, where such application would delay timely completion of a project or involve an increase in the total monies to be paid by the City and County under that contract.

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3. The provisions of Section 12I.3 shall not apply where the contracting officer finds that:

(a) no person or entity doing business in the City and County is capable of performing the contract using acceptable non-tropical hardwood equivalents as defined under Section 12I.2; or

(b) the inclusion or application of such provisions will violate or be inconsistent with the terms or conditions of a grant, subvention or contract with the terms or conditions of a grant, subvention or contract with an agency of the State of California or the United States or the instructions of an authorized representative of any such agency with respect to any such grant, subvention or contract.

(c) the use of tropical woods is deemed necessary for purposes of historical restoration and there exists no available acceptable non-tropical wood equivalent.

SEC. 12I.4. PURCHASE OF COMMODITIES.

A. Prohibited Transactions.

1. The City and County shall not purchase or obtain for any purpose any tropical hardwoods or tropical hardwood products, wholesale or retail, in any form.

B. Exceptions: This Section 12I.4 shall not apply to:

1. Any binding contractual obligations for purchase of commodities entered into prior to the effective date of this article; or

2. The purchase of any tropical hardwood or tropical hardwood product for which there is no acceptable non-tropical hardwood equivalent; or

3. Where the contracting officer finds that no person or entity doing business in the City and County is capable of

providing acceptable non-tropical hardwood equivalents sufficient to meet the City's contract requirements; or

4. Where the inclusion or application of such provisions will violate or be inconsistent with the terms or conditions of a grant, subvention or contract with an agency of the State of California or the United States or the instructions of an authorized representative of any such agency with respect to any such grant, subvention or contract.

SEC. 12I.5. CONTRACT CONDITIONS.

A. All contracts for wood products or a service involving wood products entered into by any department of the City and County for public works or improvements to be performed or for any wood, wood products, or services involving wood to be purchased with City funds shall include as a material condition to that agreement the following paragraph in the contract.

> "Except as expressly permitted by the application of Sections 12I.3.B and 12I.4.B of the San Francisco Administrative Code, Contractor shall not provide any items to the City in performance of this contract which are tropical hardwoods or tropical hardwood products."

B. Every contract shall also contain a statement urging companies not to import, purchase, obtain, or use for any purpose, any tropical hardwood or tropical hardwood product.

SEC. 12I.6. RULES AND REGULATIONS.

A. The Purchaser shall promulgate any rules and regulations necessary or appropriate to carry out the purposes and requirements of this ordinance. Each department, board and commission of the City and County shall cooperate with, and provide in writing to, the Purchaser, all information necessary for the Purchaser to promulgate such rules and regulations.

B. All contracts and other similar written agreements shall incorporate this Article by reference whenever applicable and shall provide that the failure of any bidder or contractor to comply with any of its requirements shall be deemed a material breach of contract.

SEC. 12I.7. PUBLIC RECORDS. Any and all documents and reports prepared pursuant to the requirements of this ordinance shall be made available for public inspection upon proper request, except those prepared for purposes of litigation.

SEC. 12I.8. PENALTY.

A. Whenever any department of the City and County discovers, after an investigation by the contracting officer and the City Attorney, that a person or entity being considered for a contract or under contract with the City and County has, in connection with the bidding, execution or performance of any City contract (1) falsely represented to the City and County the nature or character of the wood products offered, used or supplied under the contract, or (2) provided the City with tropical hardwood or tropical hardwood products in violation of this ordinance, the rules and regulations adopted pursuant to this ordinance, or contract provisions pertaining to the prohibition against the use or purchase of tropical hardwood, the contracting officer shall have the authority to impose such sanctions or take such other actions as are designed to ensure compliance with the provisions of this ordinance which shall include, but are not limited to:

(1) refusal to certify the award of a contract;

(2) suspension of a contract;

(3) ordering the withholding of funds due the contractor under any contract with the City and County;

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(4) ordering the revision of a contract based upon a material breach of contract provisions or pertaining to representations made in bidding, execution or performance of the contract;

(5) disqualification of a bidder or contractor from eligibility for providing commodities or services to the City and County for a period not to exceed five years, with a right to review and reconsideration by the contracting City office or department after two years upon a showing of corrective action indicating violations are not likely to reoccur.

B. All contracts shall provide that in the event any bidder or contractor fails to comply in good faith with any of the provisions of this Article the bidder or contractor shall be liable for liquidated damages in an amount equal to the bidder's or contractor's net profit under the contract, or 5% (five percent) of the total amount of the contract dollars whichever is greatest. All contracts shall also contain a provision whereby the bidder or contractor acknowledges and agrees that the liquidated damages assessed shall be payable to the City and County upon demand and may be set off against any monies due to the bidder or contractor from any contract with the City and County of San Francisco.

SEC. 12I.9. Reserved.

SEC. 12I.10. IMPLEMENTATION REPORTS. The Purchaser shall provide written reports on the implementation of this ordinance to the Board of Supervisors (1) at the first Board of Supervisors meeting held six (6) months after this Article has taken effect; and (2) semi-annually thereafter. Each department, board and commission of the City and County shall cooperate with, and

provide in writing to, the Purchaser, whichever is appropriate, all information necessary for the Purchaser to prepare such reports.

This ordinance shall expire ten (10) years from its effective date unless the Board of Supervisors finds that the purposes identified in Section 12I.1 have not yet been achieved, in which case the Ordinance may be extended for additional three year periods.

SEC. 12I.11. SEVERABILITY. If any section, subsection, clause, phrase or portion of this Article is for any reason held invalid or unconstitutional by any court or federal or state agency or competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By _____
Deputy City Attorney

0319w

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
November 19, 1990	§	December 3, 1990
	§	
	§	
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Maher Ward	§	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Maher Walker
	§	
Absent: Supervisors Hongisto Nelder Kennedy Walker	§	Absent: Supervisors Kennedy Nelder Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
97-90-55

DEC 6 1990
Date Approved

Mayor

DEC 14 1990

(Toilet Water Usage)

AMENDING PART II, CHAPTER VII OF THE SAN FRANCISCO MUNICIPAL CODE (PLUMBING CODE), RELATING TO WATER USAGE FOR TOILETS, BY AMENDING SECTIONS 905 AND 1001.1 THEREOF TO REQUIRE WATER CONSERVING FIXTURES IN NEW BUILDINGS, OR WHEN WATER DRAINAGE SYSTEMS ARE SUBSTANTIALLY ALTERED, MODIFIED OR RENOVATED; AND ADOPTING FINDINGS.

NOTE: Additions are <u>underlined</u>. Deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Board of Supervisors finds pursuant to Health Safety Code Section 17958.5 that it is reasonably necessary to adopt this ordinance on the basis of the following local conditions:

1. The City and County of San Francisco ("San Francisco") obtains water from reservoirs located in the Sierra Nevada Mountains operated by Hetch Hetchy Water and Power and from local Bay Area reservoirs operated by the San Francisco Water Department. Over the past 50 years, water supplies for the Hetch Hetchy system have periodically been critically low. Implementation of long-term water conservation practices and technologies will minimize the need for mandatory water rationing measures. Unless consumption of water is decreased there may be insufficient water supplies for human consumption, sanitation and fire protection.

2. The Public Utilities Commission ("Commission") of the City and County of San Francisco has recognized the need to declare a Water Shortage Emergency (Water Code Section 350, et seq.) due to critically low water supplies now available because of the drought. Further, the Commission has declared a mandatory Water Conservation Program to extend and conserve available supplies.

3. Furthermore, growth within the San Francisco Water District service area, which area includes 2.2 million Bay Area residents in Alameda, Santa Clara, San Mateo and San Francisco Counties, is increasing to the point where it is approaching the firm capacity of San Francisco's water system. Therefore, it is prudent to minimize the impact of this growth on the limited supplies normally available from San Francisco reservoirs.

4. Due to local climatic conditions there is a paramount interest in protecting the public health and safety of the residents of the City and County of San Francisco by restricting the volume of water used for water closets, urinals and flushometer valves.

Section 2. Part II, Chapter VII of the San Francisco Municipal Code (Plumbing Code) is hereby amended by amending Section 905 thereof to read as follows:

SEC. 905 - Prohibited Fixtures

(a) Water closets having an invisible seal or an unventilated space or having walls which are not thoroughly washed at each discharge shall be prohibited. Any water closet which might permit siphonage of the contents of the bowl back into the tank shall be prohibited. Trough urinals shall be prohibited. Drinking fountains shall not be installed in public toilet rooms.

(b) Fixed wooden, concrete, cement or tile wash trays or sinks for domestic use shall not be installed in any building designed or used for human habitation. No sheet metal lined wooded bath tub shall be installed or reconnected. No dry or

chemical closet (toilet) shall be installed in any building used for human habitation, unless first approved by the Health Officer.

(c) Water closets and related flushometer valves, if any, using in excess of 1.6 gallons of water per flush, and urinals with related flushometer valves, if any, using in excess of one gallon of water per flush are prohibited in all new buildings and in all buildings where the water drainage system is substantially altered, modified or renovated. The fixtures and related fittings shall be listed by an approved agency. As used in this section "new buildings" shall mean those buildings where a permit to erect a new building or structure is applied for after the effective date of this ordinance.

Section 3. Part II, Chapter VII of the San Francisco Municipal Code (Plumbing Code) is hereby amended by amending Section 1001.1 thereof to read as follows:

SEC. 1001.1. Running Water Required.

(a) Except where not deemed necessary for safety or sanitation by the Administrative Authority, each plumbing fixture shall be provided with an adequate supply of hot and/or cold potable running water piped thereto in an approved manner, so arranged as to flush and keep it in a clean and sanitary condition without danger of backflow or cross connection. Water closets and urinals shall be flushed by means of an approved flush tank or flushometer valve. Faucets and diverters shall be connected to the water distributiion system so that hot water corresponds to the left side of the fittings.

((Water closets for residential buildings or structures shall use a maximum of 3-1/2 gallons of water per flush as approved by the Department of Housing and Community Development.))

/ / /

((Exceptions:))

((1. Deemed not necessary for safety or sanitation by the Administrative Authority.))

All new buildings shall use water closets and related flushometers, if any, which use no more than 1.6 gallons of water per flush, and urinals and related flushometers, if any, which use no more than one gallon of water per flush. The fixtures and fittings shall be listed by an approved agency. As used in this section "new buildings" shall mean those buildings where a permit to erect a new building or structure is applied for after the effective date of this ordinance. Upon proper appeal the use in new and altered buildings of water closets and urinals and related flushometers, if any, requiring larger quantities of water per flush may be used when, in the opinion of the Bureau of Building Inspection, the configuration of the building drainage system requires a greater quantity of water to adequately scour the system. The requirements of this section shall also apply to existing buildings where the water drainage system is being substantially altered, modified or renovated.

(b) Potable water in adequate supply shall be provided in all places of employment for drinking, washing and bathing, cooking, washing of food, washing of cooking and eating utensils, washing of food preparation or processing premises, and personal service rooms.

(c) All sources of drinking water shall be maintained in a clean and sanitary condition. Drinking fountains and portable drinking water dispensers shall not be located in toilet rooms.

(d) Schools of Cosmetology and Cosmetological Establishments.

(1) Hot- and Cold-running water -- At least one sink

with hot- and cold-running water shall be provided in each work area or work room where hairdressing is performed of each school and establishment.

(2) Handwashing Facilities -- Each school and establishment shall provide adequate handwashing facilities, including hot- and cold-running water, located within or adjacent to the toilet room or rooms in accordance with Appendix C, Table C-1.

(3) Drinking Water -- Each school and establishment shall supply potable drinking water convenient to students, patrons and employees. Approved sanitary drinking fountains shall be installed and so regulated that a ajet of at least 2 inches shall be constantly available.

Exception: If individual paper cups are provided, drinking fountains need not be installed.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By Daniel E. Collins
DANIEL E. COLLINS
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 19, 1990	December 3, 1990
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Maher Ward	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Maher Walker
Absent: Supervisors Hongisto Nelder Kennedy Walker	Absent: Supervisors Kennedy Nelder Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
120-90-1

DEC 6 1990
Date Approved

Mayor

FILE NO. 97-90-58 ORDINANCE NO. 393-90

(Hold Harmless Agreement)

AMENDING THE ADMINISTRATIVE CODE BY ADDING SECTION 1.39 THERETO AUTHORIZING THE HEALTH COMMISSION TO EXECUTE A HOLD HARMLESS AGREEMENT WITH THE STATE DEPARTMENT OF HEALTH SERVICES FOR THE MEDICALLY INDIGENT CARE REPORTING SYSTEM TO INCORPORATE AN INDEMNIFICATION AGAINST CLAIMS FROM INFRINGEMENT CLAUSE.

NOTE: THE ENTIRE SECTION IS NEW.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by adding Section 1.39 thereto, to read as follows:

SEC. 1.39 HOLD HARMLESS AGREEMENT BETWEEN THE HEALTH COMMISSION AND THE STATE DEPARTMENT OF HEALTH SERVICES FOR THE MEDICALLY INDIGENT CARE REPORTING SYSTEM TO ADD AN INDEMNIFICATION AGAINST CLAIMS FROM INFRINGEMENT CLAUSE. The Health Commission is hereby authorized to enter into a hold harmless agreement with the State Department of Health Services for the Medically Indigent Care Reporting System to read as follows:

The City and County of San Francisco (CITY) agrees to indemnify and hold harmless, at the CITY'S expense, the State Department of Health Services (DEPARTMENT) for the Medically Indigent Care Reporting System, its officers, agents or employees and their respective successors, heirs representatives, administrators, and assigns ("indemnities") during the term of the Agreement, from and against any and all responsibilities, suits, judgments, awards, costs, damages, claims, demands, actions, causes of action, expenses or liability of every nature which result or arise from or are in any way connected with or based upon:

1) A claim that any program, process, composition, writing, equipment, appliance or device or any trademark, services mark, logo, idea, combination of ideas or any other tangible, intangible, intellect or intellectual property whatsoever developed, provided or used by the CITY in connection with performance under the Agreement constitutes an infringement of any United States patent, copyright, trademark or trade secret of another.

RECOMMENDED BY:

Florence Stroud

FLORENCE STROUD, M.N., M.P.H.

ACTING DIRECTOR,
Department of Health

APPROVED BY:

Sandy Ouye Mori

HEALTH COMMISSION

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By Paula Jesson

Deputy City Attorney

(Department of Public Health)

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
December 3, 1990	§	December 10, 1990
	§	
	§	
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Maher Walker	§	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Nelder Walker
	§	
Absent: Supervisors Kennedy Nelder Ward	§	Absent: Supervisors Hongisto Ward
	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
97-90-58

DEC 13 1990
Date Approved

Mayor

AS AMENDED IN ~~COMMITTEE~~ 2 11/28/90

FILE NO. 101-90-25

ORDINANCE NO. 394-90

RO #90101 SA #18

(GOVERNMENT FUNDING)

11/28/90 e APPROPRIATING ~~$24,000~~ $23,600 FOR OTHER EQUIPMENT RENTAL (MOBILE BOILER - SAN BRUNO JAIL), SHERIFF DEPARTMENT FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L. 496 (000026)	Unappropriated Revenue Reserved	$23,600	
11/28/90 e Subsidiary 000006	General Reserve	~~$ 24,000~~	
06-00-00	Sheriff		
11/28/90 e 10-1243 (306589)	Other Equipment Rentals		$23,600 ~~$ 24,000~~

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

[signature]
CONTROLLER

ac(ADM1035/42)

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 3, 1990	December 10, 1990
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Maher Walker	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Nelder Walker
Absent: Supervisors Kennedy Nelder Ward	Absent: Supervisors Hongisto Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No. 101-90-25

DEC 13 1990
Date Approved

[signature]
Mayor

JAN

FILE NO. 101-90-27

ORDINANCE NO. 395-90

RO #90126 SA #67

(Government Funding)

APPROPRIATING $39,634 FOR PERMANENT SALARIES - MISCELLANEOUS AND RESCINDING $39,634 FROM PERMANENT SALARIES - MISCELLANEOUS, FOR THE CREATION OF ONE (1) POSITION AND DELETION OF ONE (1) POSITION, PUBLIC HEALTH - CENTRAL OFFICE FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
83-02-01	Public Health - CPHS Support Services		
01-0010 (734285)	Permanent Salaries - Miscellaneous	$39,634	$39,634

Section 2. Funds are hereby appropropriated for one (1) position created and one (1) position deleted by amendment to the Annual Salary Ordinance (Board of Supervisors' File No. 102-90-6) as follows:

FUND / DEPARTMENT / CLASSIFICATION	GENERAL FUND / PUBLIC HEALTH / RATE	Deleted	Created
A 123A Director of Homeless Program	$2,557 B $3,108		1
2248 A Asst. Director of Clinical Services II	2,557 B 3,108	1	

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Sakay
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
Samuel D. Yockey
CONTROLLER

CIVIL SERVICE COMMISSION:

BY: John Walsh, Jr.
GENERAL MANAGER, PERSONNEL

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 3, 1990	December 10, 1990
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Maher Walker	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Nelder Walker
Absent: Supervisors Kennedy Nelder Ward	Absent: Supervisors Hongisto Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-90-27

DEC 13 '90
Date Approved

Mayor

AMENDMENT OF THE WHOLE AS FURTHER

AMENDMENT OF THE WHOLE AS FURTHER AMENDED IN COMMITTEE 11/28/90

FILE NO. 101-90-28

ORDINANCE NO. 396-90

RO #90102 SA #60

(Government Funding)

APPROPRIATING $993,189 FOR TELEPHONE, OFFICE MACHINE RENTAL, JANITORIAL SERVICES, RENTAL OF PROPERTY, OFFICE EQUIPMENT, LAW BOOKS AND SERVICES OF OTHER DEPARTMENTS - BUILDING REPAIR, SUPERIOR COURT FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
02-010	Temporary Courthouse Construction Fund		
10-00-00	Superior Court		
11/28/90 e G.L. 301 (004994)	Commitment on Fund Balance	$ 985,512 ~~$ 955,512~~	
Project 008-01	Temporary Courtroom Space		
11/28/90 e 14-1460 (316117)	Rental of Property		$ 784,715 ~~$ 754,715~~
22-2260	Office Equipment		181,497
22-2270	Books		15,000
30-3180	Services of Other Departments - Building Repair		4,300
11/28/90 e	Total - Temporary Courthouse Construction Fund	$ 985,512 ~~$ 955,512~~	$ 986,512 ~~$ 955,512~~
01-001	General Fund		
G.L.496 (000026)	Unappropriated Revenue Reserved		
11/28/90 e Subsidiary 000006	General Reserve	$ 7,677 ~~$ 37,677~~	
10-1230 (316083)	Telephone		$ 852
10-1241	Office Machine Rental		1,800
10-1222	Janitorial Services		5,025
~~14-1460~~	~~Rental of Property~~		~~30,000~~
11/28/90 e	Total - General Fund	$ 7,677 ~~$ 37,677~~	$ 7,677 ~~$ 37,677~~
	Grand Total	$ 993,189	$ 993,189

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

FUNDS AVAILABLE:

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 3, 1990	December 10, 1990
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Maher Walker	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Nelder Walker
Absent: Supervisors Kennedy Nelder Ward	Absent: Supervisors Hongisto Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-90-28

DEC 13 1990
Date Approved

Mayor

FILE NO. 102-90-6 ORDINANCE NO. 397-90

PUBLIC EMPLOYMENT SAL.ORD.AMEND.NO. 5

AMENDING ORDINANCE NO. 288-90 (ANNUAL SALARY ORDINANCE, 1990-91) REFLECTING THE ADDITION OF ONE POSITION AND THE DELETION OF ONE POSITION IN THE DEPARTMENT OF PUBLIC HEALTH, CENTRAL OFFICE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated section and items of Ordinance No. 288-90 (Annual Salary Ordinance, 1990-91) are hereby amended so that the same shall read as follows:

(Amendment)	No. Pos.	Class & Item No.	Class & Title	Compensation Schedule
		Dept.:	83 Public Health Central Office	
		Division:	02 CPHS	
		Section:	01 Support Services	
		Program:	4302 Central Admin. and other Support Svcs.	
		Fund:	01001 General Fund	
		Index:	734285 CPHS Support Services	
		Proj/Phase:	000/00 Unassigned Title	
		Object:	001 Permanent Salaries-Miscellaneous	
1 added	1	A123	A Director of Homeless Programs.....J,SC	$2557B3108
1 abolished	0	2248	A Asst. Dir. of Clinical Services II...Z,SC	255/B3108

APPROVED AS TO CLASSIFICATION:
CIVIL SERVICE COMMISSION

John J. Walsh pk
GENERAL MANAGER, PERSONNEL

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

NO. 5

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 3, 1990	December 10, 1990
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Maher Walker	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Nelder Walker
Absent: Supervisors Kennedy Nelder Ward	Absent: Supervisors Hongisto Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No. 102-90-6

DEC 17 1990
Date Approved

Mayor

JAN 3 - 1991

FILE NO. 34-90-2 ORDINANCE NO. 398-90

AMENDING ORDINANCE NO. 1061 ENTITLED "REGULATING THE WIDTH OF SIDEWALKS" BY ADDING THERETO SECTION 1501 AND SECTION 1502 CHANGING THE OFFICIAL WIDTH OF SIDEWALKS ON THE SOUTH SIDE OF HARRISON STREET BETWEEN BEALE AND MAIN STREETS AND ON THE EAST SIDE OF BEALE STREET BETWEEN HARRISON AND BRYANT STREETS, AND MAKING FINDINGS PURSUANT TO CITY PLANNING CODE SECTION 101.1

Be it obtained by the people of the City and County of San Francisco:

SECTION 1. Ordinance No. 1061 entitled "Regulating the Width of Sidewalks", be and is hereby amended in accordance with communication filed in the office of the Clerk of the Board of Supervisors, by adding thereto two new sections to be numbered as follows:

Section 1501. The width of sidewalk on the south side of Harrison Street between Beale and Main Streets shall be 12 feet.

Section 1502. The width of sidewalk on the east side of Beale Street between Harrison and Bryant Streets shall be 16 feet.

SECTION 2. The Department of City Planning in its report dated June 4, 1990 declared that the above-described change of official sidewalk width is in conformity with the Master Plan, and made findings of consistency with the Eight Priority Policies of City Planning Code Section 101.1.

The San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the Department of City Planning, by its letter dated June 4, 1990, that the project intended by the proposed change of official sidewalk width is consistent with the eight priority policies of City Planning Code Section 101.1.

The petitioner, at the petitioner's sole expense, and as is necessary as a result of this Ordinance, shall make arrangement with public utility companies and City departments for the relocation and/or adjustment of their facilities in the affected sidewalk and street area.

DESCRIPTION APPROVED:

City Engineer

RECOMMENDED:

for Director of Public Works

APPROVED AS TO FORM:
LOUISE RENNE, City Attorney

By
Deputy City Attorney

APPROVED:

Chief Administrative Officer

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JAN 8 1991
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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 10, 1990	December 17, 1990
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Kennedy Maher Walker Ward	Ayes: Supervisors Britt Gonzalez Hallinan Hongisto Hsieh Kennedy Nelder Walker
Absent: Supervisors Nelder	Absent: Supervisors Alioto Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
34-90-2

DEC 20 1990
Date Approved

Mayor

FILE NO. 34-90-3

ORDINANCE NO. 399-90

AMENDING ORDINANCE NO. 1061 ENTITLED "REGULATING THE WIDTH OF SIDEWALK" BY ADDING THERETO SECTION 1503 CHANGING THE OFFICIAL WIDTH OF SIDEWALK ON THE WESTERLY SIDE OF NEW MONTOGMERY STREET BETWEEN MARKET STREET AND JESSIE STREET, AND MAKING FINDINGS PURSUANT TO CITY PLANNING CODE SECTION 101.1.

Be it obtained by the people of the City and County of San Francisco:

SECTION 1. Ordinance No. 1061 entitled "Regulating the Width of Sidewalks", be and is hereby amended in accordance with communication filed in the office of the Clerk of the Board of Supervisors, by adding thereto a new section to be numbered as follows:

Section 1503. The width of sidewalk on the westerly side of New Montgomery Street between Market Street and Jessie Street shall be as shown on Department of Public Works Drawing Q-20-382.

SECTION 2. The Department of City Planning in its report dated July 17, 1990 declared that the above-described change of official sidewalk width is in conformity with the Master Plan, and made findings of consistency with the Eight Priority Policies of City Planning Code Section 101.1.

The San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the Department of City Planning, by its letter dated July 17, 1990, that the project intended by the proposed change of official sidewalk width is consistent with the eight priority policies of City Planning Code Section 101.1.

The petitioner, at the petitioner's sole expense, and as is necessary as a result of this Ordinance, shall make arrangement with public utility companies and City departments for the relocation and/or adjustment of their facilities in the affected sidewalk and street area.

DESCRIPTION APPROVED:

City Engineer

RECOMMENDED:

for Director of Public Works

APPROVED AS TO FORM:
LOUISE RENNE, City Attorney
By

APPROVED:

DOCUMENTS DEPT.

JAN 8 - 1991

PUBLIC LIBRARY

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 10, 1990	December 17, 1990
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Kennedy Maher Walker Ward	Ayes: Supervisors Britt Gonzalez Hallinan Hongisto Hsieh Kennedy Nelder Walker
Absent: Supervisors Nelder	Absent: Supervisors Alioto Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
34-90-3

DEC 20 1990
Date Approved

Mayor

FILE NO. 65-90-4.1 ORDINANCE NO. 400-90

(Lease Amendment)

APPROVING SEVENTH AMENDMENT TO THE STADIUM LEASE BETWEEN THE CITY AND COUNTY OF SAN FRANCISCO BY AND THROUGH ITS RECREATION AND PARK COMMISSION AND THE SAN FRANCISCO FORTY NINERS.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Seventh Amendment to the Stadium Lease between the City and County of San Francisco by and through its Recreation and Park Commission ("Commission") and the San Francisco Forty Niners, adopted by the Commission on October 18, 1990, Resolution No. 15845, a true and correct copy of which is on file with the Clerk of this Board, is hereby approved.

APPROVED AS TO FORM:

Louise H. Renne, City Attorney

Yvonne E. Lovales

Deputy City Attorney

LEGISLATIVE DEPT.
JAN 8 - 1991

Board of Supervisors, San Francisco

Passed for Second Reading

December 10, 1990

Ayes: Supervisors Alioto Britt Hallinan Hongisto Hsieh Kennedy Maher Walker Ward

Absent: Supervisors Gonzalez Nelder

Finally Passed

December 17, 1990

Ayes: Supervisors Alioto Britt Hallinan Hongisto Kennedy Walker Ward

Excused: Supervisors Gonzalez

Absent: Supervisors Hsieh Maher Nelder

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 65-90-4.1

DEC 20 1990

Date Approved

Mayor

AMENDMENT OF THE WHOLE
12/5/90

AMENDMENT OF THE WHOLE
12/5/90
As amended in Board 12/10/90

FILE NO. 97-90-56

ORDINANCE NO. 401-90

[Grant Applications]

AMENDING PART I, CHAPTER 10 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTIONS 10.170, 10.170-2, AND 10.170-4 THEREOF, TO AMEND THE PROCEDURES USED BY THE BOARD OF SUPERVISORS IN CONSIDERING AND APPROVING APPLICATIONS FOR GRANTS BY CITY OFFICERS, EMPLOYEES, BOARDS OR COMMISSIONS.

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Note: Additions and substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part I, Chapter 10 of the San Francisco Administrative Code is hereby amended by amending Sections 10.170, 10.170-2 and 10.170-4 thereof, to read as follows:

SEC. 10.170. LIMITATIONS UPON APPLICATION FOR OR RECEIPT OF GRANT. Except as set forth herein or in some other section of this Code, no application for a federal, state or other grant involving any project or program shall be filed or authorized by any officer, employee, board or commission unless ((first recommended by the Mayor and approved by the Board of Supervisors)) there first has been submitted to the Mayor and the Board of Supervisors a letter of intent to apply for the grant and a resolution consistent with the letter of intent has been approved. The following information shall be either included in each such letter of intent or provided in writing to the appropriate Board Committee prior to the Committee's consideration of the grant application:

A description of the options for projects funded through the available funding source (a copy of the grant announcement or RFP should be attached to the letter of intent).

12/10/90 ejp

A summary of the proposed grant-funded project.

A statement of whether the City is or have been participating in this or similar projects.

The term of the grant and expectations regarding future funds.

The amount of required City matching funds, if any.

The maximum funding amount available through the grant.

The number of new positions that will be created and funded under the grant project.

Information on whether there will be any contractual services and if so, whether such services will be sent out to bid.

12/10/90 ejp

A description of the population to be served or the problem to be addressed by the grant, including a brief assessment of need for the proposed project.

Letters of intent shall be filed with the Clerk of the Board of Supervisors and the Chair of the Board Committee to which these letters of intent will be referred at least 12 days prior to the date of the regular meeting of the Board by which approval of the submittal of the grant application must be obtained in order to file the grant application in a timely manner (additional days will be required in the event holidays alter the schedule of the Board of Supervisors). Letters of intent filed with the Clerk and the appropriate Committee Chair by Wednesdays at noon (or the immediately preceding workday at noon if a particular Wednesday is a holiday) shall be introduced at the immediately following Monday Board meeting for immediate referral to the appropriate Board Committee for hearing and recommendation, such hearing to occur, if at all possible, during the week of the letter's introduction at a Board meeting. On or before the day a letter of intent is before a

Board Committee for consideration and approval, the sponsoring department or office shall present to the Committee a resolution, recommended by the Mayor, approving the submittal of the application for the grant, consistent with the letter of intent. The department or office shall also present the following additional information to the Committee as soon as the information becomes available:

A copy of the completed grant application and budget.

((Every officer, employee, board or commission shall transmit any such application to the Mayor for his or her review and recommendation and to the Board of Supervisors for its review and approval. The Board of Supervisors shall not approve such filing unless the application has first been recommended by the Mayor and)) Every officer, employee, board or commission submitting a grant application for Board review shall also notify the Capital Improvement Advisory Committee of the City, as soon as possible, of the grant proposal if it includes any capital projects. The receipt and expenditure of grant funds applied for shall not be approved or authorized by the Board of Supervisors unless the Controller has certified that appropriate indirect costs are included in the grant ((application)) budget. Nothing contained herein shall be construed to limit the action of officers, boards or commissions or their authorized representatives in the preliminary development and preparation of the application and related documents. The provisions of this section shall not be applicable to applications authorized by Resolution No. 318-71 for federal or state grants for sewage treatment works; provided, however, that the Director of Public Works shall forthwith notify the Mayor of the filing of such application or the receipt of any such grant. The provisions of this section shall not be applicable to applications for funds from the San Francisco County Transportation Authority. Every

application shall contain provisions for the reimbursement of all allowable administrative expenses incurred by the City and County in services necessary for the performance of the project or program.

Every department or office shall establish rates for such administrative services (indirect costs), which shall be fixed in accordance with a directive of and approved by the Controller. Said rates shall be the basis for determining administrative expenses to be reimbursed to the City and County of San Francisco from grant proceeds.

Every department or office submitting to the Board of Supervisors a budget for grants received from public funds shall conform to proposed budgets recommended by the Mayor and approved by the Board. In making actual line item expenditures from such an approved budget, the department or office may reallocate or transfer funds within the total approved budget amount; provided, that when any line item is modified or increased by more than 15 percent copies of any modification or increase documents which are transmitted to federal or state agencies shall be transmitted also to the Finance Committee.

The budget approved by the Board of Supervisors shall be contained in the authorizing resolution or set forth in the Board of Supervisors' file therefor.

SEC. 10.170-2. ACCEPTANCE OF PROVISIONS OF SECTION 13522 OF PENAL CODE. The City and County of San Francisco hereby declares that it desires to qualify for receipt of aid for peace officers' training from the State of California under the provisions of Chapter 1, Title 4, Part 4 of the California Penal Code. And pursuant to Section 13522 of said Chapter 1, the City and County of San Francisco does hereby undertake and agree to adhere to the standards for recruitment and training established by the California

Commission on Peace Officer Standards and Training.

((Any resolution of)) ((t))The Board of Supervisors shall authorize((ing)) the filing of an application for financial aid from the California Peace Officers' Training Fund, and shall authorize((ing)) acceptance thereof, which authorization procedures shall ((include)) be consistent with the provisions of the immediately preceding section.

SEC. 10.170-4. PROBATION AND CORRECTIONS OFFICERS TRAINING FUNDS.

(a) The City and County of San Francisco hereby declares that it desires to receive aid from the State of California for the training of local probation and corrections officers under the provisions of Part 3, Title 7, Chapter 5, commencing with Section 6035 of the California Penal Code.

(b) The City and County of San Francisco, while receiving aid from the State of California pursuant to Section 6035 et seq. of the California Penal Code, will adhere to the standards of recruitment and training established by the California Board of Corrections; provided, however, that the costs of such compliance are fully reimbursed or reimbursable by the State of California and no additional costs will be incurred by the City and County.

(c) ((Any resolution of)) ((t))The Board of Supervisors shall authorize((ing)) the filing of an application for financial aid from the Board of Corrections Standards and Training of Local Corrections and Probation Officers Program and authorize((ing)) acceptance

///

///

///

///

thereof, which authorization procedures shall ((include)) be consistent with the provisions of paragraph (b) of this section.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore R. Lakey
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
December 10, 1990	§	December 17, 1990
	§	
	§	
Ayes: Supervisors Alioto Britt Hallinan Hongisto Hsieh Kennedy Maher Walker Ward	§	Ayes: Supervisors Britt Gonzalez Hallinan Hongisto Hsieh Kennedy Nelder Walker
	§	
Absent: Supervisors Gonzalez Nelder	§	Absent: Supervisors Alioto Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
97-90-56

DEC 20 1990
Date Approved

Mayor

AS AMENDED IN COMMITTEE 12/5/90

FILE NO. 97-90-57 ORDINANCE NO. 402-90

[Credit Cards and Automatic Teller Cards]

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION 10.11-2 THERETO TO AUTHORIZE THE RECREATION AND PARK COMMISSION OF THE CITY AND COUNTY OF SAN FRANCISCO TO ACCEPT PAYMENTS BY CREDIT CARDS AND AUTOMATIC TELLER MACHINE CARDS FOR PAYMENTS THAT ARE TEN DOLLARS OR GREATER; EXPIRATION DATE OF DECEMBER 31, 1991.

12/5/90 e

Note: This section is entirely new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by adding Section 10.11-2 thereto to read as follows:

SEC. 10.11-2. PAYMENT BY CREDIT CARD OR AUTOMATIC TELLER MACHINE CARD ("ATM"). The Recreation and Park Commission of the City and County is hereby authorized to accept credit and ATM cards for the payment of fees and other charges for service rendered by the City and County that are ten dollars ($10.00) or greater per payment or charge. Credit card payments shall be made in person, by mail or over the telephone. ATM cards payments are restricted to in person payments with valid identification. If the Recreation and Park Commission of the City and County wishes to accept credit and ATM cards for the payment of fees and other charges under the provisions of this section it shall receive approval of the Treasurer and Controller prior to the establishment of any credit card payment system.

12/5/90 e

This section, and the authorization contained herein, shall automatically expire on December 31, 1991, unless the Board of

/ / /

12/5/90 e

Supervisors, by ordinance, provides for an extension or deletion of, or modification to, the expiration date.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore R. Lakey
Deputy City Attorney

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JAN 8 1991
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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
December 10, 1990	§	December 17, 1990
	§	
	§	
Ayes: Supervisors Alioto Britt Hallinan Hongisto Hsieh Kennedy Maher Walker Ward	§	Ayes: Supervisors Britt Gonzalez Hallinan Hongisto Hsieh Kennedy Nelder Walker
	§	
Absent: Supervisors Gonzalez Nelder	§	Absent: Supervisors Alioto Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
97-90-57

DEC 20 1990
Date Approved

Mayor

Finance

FILE NO. 101-90-26

ORDINANCE NO. 903-90

RO #90103 SA #62

(GOVERNMENT FUNDING)

APPROPRIATING $77,697 FOR MEMBERSHIP DUES, BOARD OF SUPERVISORS FOR FISCAL YEAR 1990-91; SUBJECT OF PREVIOUS BUDGETARY DENIAL.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L. 496 (000026)	Unappropriated Revenue Retained		
Subsidiary 000006	General Reserve	$ 77,697	
01-01-00	Board of Supervisors		
10-1440 (300012)	Membership Dues		$ 77,697

Section 2. This ordinance is adopted by a two-thirds vote of all members of the Board of Supervisors pursuant to Section 6.306 of the Charter. This item was previously requested by budget estimate and denied by the Board of Supervisors.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

CONTROLLER

ac(1035ADM/43)

DOCUMENTS DEPT.

JAN 8 - 1991

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 10, 1990	December 17, 1990
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Kennedy Maher Walker Ward	Ayes: Supervisors Britt Gonzalez Hallinan Hongisto Hsieh Kennedy Nelder Walker
Absent: Supervisors Nelder	Absent: Supervisors Alioto Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-90-26

DEC 20 1990
Date Approved

Mayor

FILE NO. 266-88-1 12-10-90 ORDINANCE NO. 484-90

FILE NO. 264-88-1 ORDINANCE NO. 484-90

(Permit Processing - Asbestos Work Notification)

AMENDING PART II, CHAPTER 1 (BUILDING CODE) OF THE SAN FRANCISCO MUNICIPAL CODE BY AMENDING SECTION 302(a) and SECTION 402, THEREOF, PERTAINING TO SIGN POSTING AND AFFIDAVITS FOR ASBESTOS RELATED WORK IN APARTMENTS AND RESIDENTIAL HOTELS AND ADOPTING FINDINGS.

Note: Additions are <u>underlined</u>; deletions are denoted by double parentheses (( )).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Purpose and Findings. The Board of Supervisors finds that while federal and state laws regulate worker exposure to asbestos, require building owners to notify employees and commercial tenants who may be exposed to asbestos, and place restrictions on the handling and disposal of asbestos materials, these laws do not provide for notices to residential tenants when asbestos in their buildings will be disturbed by building maintenance or alteration activities. Residential tenant concerns about asbestos work in their buildings can often be alleviated by informing tenants about the nature of the asbestos work before it is commenced. The Board of Supervisors finds pursuant to Health and Safety Code Section 17958.5 that it is reasonably necessary to adopt this ordinance on the basis of the following local conditions:

A. The Board of Supervisors has received and considered numerous complaints from citizens residing in the City and County of San Francisco about the condition of asbestos-containing construction materials in buildings in which they are residential renters.

B. The Department of Public Health reports that it receives approximately 200 inquiries per month regarding concerns about exposure to asbestos, with approximately 60 percent of the inquiries coming from residential tenants.

C. The experience of the Department of Public Health is that residential tenants in San Francisco often lack basic information about the nature of asbestos work being undertaken in the buildings they occupy.

Section 2. Part II, Chapter 1 (Building Code) of the San Francisco Municipal Code is hereby amended by amending Section 302(a), to read as follows:

Sec. 302.(a)(1). Application. To obtain a permit, the applicant shall first file an application with the Bureau of Building Inspection on forms furnished by the Bureau. The applicant shall be the owner or the owner's authorized agent. See Section 330.1--Building Permit Fees--for applicable fees. Every such application shall:

A. Identify and describe the work to be covered by the permit for which application is made.

B. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.

C. For new buildings, indicate the use or occupancy of all parts of the building. For alteration work, indicate the proposed uses or occupancies and the most current legal uses or occupancies for all portions of the building affected by or relevant to the proposed work.

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D. Include the name, address, and telephone number of the owner, architect, engineer and contractor. When applicable, State and City license numbers shall be indicated.

E. Be accompanied by plans and other documents as required in Section 302(b).

F. Give such other data and information as may be required by the Superintendent.

G. State the valuation of any new building or structure or any addition, remodeling or alteration to an existing building.

H. Be signed by the owner, or the owner's authorized agent, who may be required to submit evidence to indicate such authority.

I. Contain an agreement by the owner of the premises to save the City and its officials and employees harmless from all costs, liability and damages resulting, whether directly or indirectly, from use or occupancy of the sidewalk, street, or subsidewalk space, or from anything in connection with the work included in the permit. The agreement shall run with the land and be binding on all of the owner's successors in title.

1. Contain an agreement by the owner of the premises to save the City and its officials and employees harmless from all costs, liability and damages resulting whether directly or indirectly, from use or occupancy of the sidewalk, street, or subsidewalk space, or from anything in connection with the work included in the permit. The agreement shall run with the land and be binding on all of the owner's successors in title.

2. Incomplete Applications. The Bureau will not process an application which is not completely or properly filled out pursuant to the requirements of Sections 302 (a),(b)(c) and (d). When the plans and documents submitted for processing do not

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contain the information required by Sections 302(a)(b)(c) and (d) the application shall not be accepted.

3. Agent's Responsibility and Transfer of Application. Anyone who files an application or obtains the permit as an owner's agent shall be responsible for advising the owner of all conditions attached to the application by the various approving agencies. Applications are transferable without payment of fees when the new party submits a letter to the Bureau agreeing to all conditions of approval, stipulation and agreements contained on the application.

An application for a permit to demolish a building or structure shall not be deemed complete until the applicant declares under penalty of perjury that every party who has a recorded interest or recorded deed of trust on the property that is the subject of the application has been notified of the filing of the application. See Section 332--Demolition Notice/Affidavit-- for fee to defray the cost of maintaining records of such declarations and other attendant costs.

4. Demolition Application and Notification. Upon receipt of an application which would authorize the tearing down or demolition of a building or structure, the Bureau shall mail written notice to the owners of properties at least 300 feet in every direction from the edge of the property on which the proposed demolition work will take place, as shown on the last equalized assessment roll, and shall provide notice to each residential tenant of the property that is the subject of the application and of the property immediately adjacent to such property. Said notice shall include the street address of the proposed work and the name and address of the property owner and, if known, of the contractor.

Any organization or group with an interest in architectural or historical preservation or housing conservation may request notification of the receipt by the Bureau of an application for a demolition permit and of the issuance thereof. Such request shall be in writing to the Bureau, on forms furnished by the Bureau. The organization or group shall specify the area(s) of the City for which notification is requested and the Superintendent of the Bureau shall establish the boundaries of such areas for purposes of such notification. Requests shall be made annually, within 30 days after July 1 of each year. See Section 332--Notice of Demolition Permit by Area: Interested Parties--for fees. Fees may be prorated by the Bureau for any requests which are received at other times during the year.

5. Substantial Alterations Sign Posting and Affidavits. In addition to any other requirements for notice set forth in this code, the following shall apply:

Any person filing an application to substantially alter, as that term is defined by the Superintendent of the Bureau of Building Inspection, an apartment house or residential hotel (as defined in Section 41.4((b))(p) of the San Francisco Administrative Code) that contains five or more units shall post a sign at least 15 inches by 15 inches in a conspicuous common area of the apartment house or residential hotel for at least 15 days with the following information: notice that the application has been made, the nature of the work to be performed, the means of obtaining information from the Bureau of Building Inspection, and the procedure for appealing the issuance of building permits. The applicant shall thereafter submit an affidavit signed under penalty of perjury stating that the sign has been posted as required by this section. See Section 332--Posting of Substantial

Alteration--for fee to defray the cost of maintaining records of said affidavits. The Superintendent shall not approve the application until this affidavit is submitted. If there is reason to believe that the sign was not posted as required, the Superintendent shall investigate the matter, shall provide the applicant an opportunity to respond to any complaint of noncompliance, shall determine whether the requirements of this section have been substantially met, and shall cancel an application or revoke the permit if it is determined they have not been substantially met.

6. Asbestos Related Work Sign Posting and Affidavits. In addition to any other requirements for notice set forth in this code, any person filing an application for a building permit to perform work in an apartment house or a residential hotel (as defined in Section 41.4(p) of the San Francisco Administrative Code), which work includes asbestos-related work as defined in this code, shall comply with the following requirements.

A. Prior to commencement and for the duration of any asbestos-related work, post a sign readable at 20 feet at each noncontiguous location where any asbestos-related work is performed in the apartment house or residential hotel, or in any appurtenant buildings thereto and facilities supplied in connection with the use or occupancy thereof, including garage and parking facilities, stating "Danger-Asbestos. Cancer and Lung Hazard. Keep Out." Notwithstanding this requirement, if an owner or contractor of the owner subject to the requirements of California Labor Code Sections 6501.5 et seq. and regulations promulgated pursuant thereto, is in compliance with the requirements for posting locations of asbestos-related work, such

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owner or contractor shall be deemed to have complied with this requirement.

B.

(i) Unless the requirement for plans and specifications is waived by the Superintendent of the Bureau of Building Inspection pursuant to Section 302(b), provide a notice at least seventy-two (72) hours prior to commencement of any asbestos-related work to the residential tenants in the building. The notice shall advise the residential tenants of the nature of the asbestos-related work to be performed, the date and time the work is scheduled to commence, the specific location or locations in the building where the work will occur, the name and address of the person or firm performing the work, and the name and telephone number of a person to contact on site if the residential tenant has questions or concerns. The notice shall be provided in one of the following ways:

At least seventy-two (72) hours prior to commencement and for the duration of any asbestos-related work, post a notice containing the required information in a conspicuous common area of the apartment house or residential hotel measuring 15" x 15"; or

Mail by first-class registered mail, a notice containing the required information to each person who rents or leases residential space in the apartment house or residential hotel, postmarked at least five (5) days plus seventy-two (72) hours prior to commencement of any asbestos-related work; or

Personally deliver a notice containing the required information to each person who rents or leases residential space in the apartment house or residential hotel, at least seventy-two (72) hours prior to commencement of the asbestos-related work.

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(ii) The applicant shall thereafter submit an affidavit signed under penalty of perjury stating that the notice has been posted in the building or mailed or personally delivered to each person who rents or leases residential space in the building. See Section 332 - Affidavit record maintenance - for fee to defray the cost of maintaining records of said affidavits. If there is reason to believe that the notice was not posted, mailed or personally delivered as required, the Superintendent shall investigate the matter, shall provide the applicant an opportunity to respond to any complaint of noncompliance, shall determine whether the requirements of this section have been substantially met, and shall revoke the permit if it is determined they have not been substantially met.

C. Notwithstanding the definitions of apartment house or residential hotel (as defined in Section 41.4(p) of the San Francisco Administrative Code) those terms shall not include (1) any "school building" as defined in 15 U.S.C. Section 2642 as that section read on January 1, 1989, (2) any "building" as defined in California Health and Safety Code Section 25920, as that section read on September 27, 1989; or (3) the residential area of any multi-use building where the asbestos-related work is to occur solely in a commercial area, the commercial and residential areas of the building do not share supply air or return air handling systems, and the commercial area does not contain facilities supplied in connection with the use or occupancy of the residential area.

Section 3. Part II, Chapter 1, (Building Code) of the San Francisco Municipal Code is hereby amended by amending Section 402 to read as follows:

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(a) ACCESS FLOOR SYSTEM is an assembly consisting of panels mounted on pedestals to provide an under-floor space for the installations of mechanical, electrical, communication or similar systems or to serve as an air supply or return-air plenum.

(b) ACCESSIBILITY is the combination of various elements in a building or area which allow access, circulation and the full use of the building and facilities by handicapped people.

(c) ACCESSIBLE LOCATION is a location which can be reached by an employee standing on the floor, platform, runway or other permanent working area.

(d) ADDITION is an extension or increase in floor area or height of a building or structure.

(e) ADULT is a person who has attained or exceeds the age of 18 years.

(f) AGED HOME OR INSTITUTION is a facility used for the housing of persons 65 years or older in need of care and supervision (see definition of "Care and Supervision." Section 404).

(g) AGRICULTURAL BUILDING is a structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place of human habitation or place of employment where agricultural products are processed, treated or packaged; nor shall it be a place used by the public.

(h) AISLE is a circulation path between objects such as seats, tables, merchandise, equipment, displays, shelves, desks, etc.

(i) AISLE, EMPLOYEE AREAS (as required for architectural accessibility) is a space that serves as a passageway which is created by architectural components such as walls, fixed

cabinetry or fixtures and not moveable components such as furniture.

(j) ALLEY is any public way or thoroughfare less than 16 feet but not less than 10 feet in width which has been dedicated or deeded to the public for public use.

(k) ALTER or ALTERATION is any change, addition or modification in construction or occupancy.

(l) ANSI. American National Standards Institute.

(m) APARTMENT HOUSE is any building or portion thereof which contains three or more dwelling units and, for the purpose of this code, includes residential condominiums.

(n) APPROVED, as to materials and types of construction, refers to approval by the Superintendent as the result of investigation and tests conducted by the Superintendent, or by reason of accepted principles or tests by recognized authorities, technical or scientific organizations.

Approved means meeting the approval of the Bureau of Building Inspection, except as otherwise provided by statute, when used in connection with any system, material, type of construction, fixture or appliance as the result of investigation and test conducted by the agency, or by reason of accepted principles or tests by national authorities, technical, health, or scientific organizations or agencies.

NOTE: See Health and Safety Code Section 17921.1 for "approved" as applied to hotplates. See Health and Safety Code Section 17921.3 for "approved" as applied to low-flush water closets.

(o) APPROVED AGENCY is an established and recognized agency regularly engaged in conducting tests or furnishing inspection

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services, when such agency has been approved by the Superintendent.

(p) APPROVED FABRICATOR is an established and qualified person, firm or corporation approved by the Superintendent pursuant to Section 306(g) of this code.

(q) APPROVED LISTING AGENCY is any agency approved by the Bureau of Building Inspection unless otherwise provided by statute which is in the business of listing and labeling and which makes available at least an annual published report of such listings in which specific information is included that the product has been tested to recognized standards and found to comply.

(r) APPROVED TESTING AGENCY is any agency which is determined by the Bureau of Building Inspection, except as otherwise provided by statute, to have adequate personnel and expertise to carry out the testing of systems, materials, type of construction fixtures or appliances.

(s) AREA. (See. "Floor Area.")

(t) ASBESTOS means naturally occurring fibrous hydrated mineral silicates, chrysotile, crocidolite, amosite, fibrous tremolite, fibrous anthophyllite and fibrous actinolite.

(u) ASBESTOS-CONTAINING CONSTRUCTION MATERIALS means any manufactured construction material, which contains more than one (1) percent asbestos by weight.

(v) ASBESTOS-RELATED WORK means any activity which by disturbing asbestos-containing construction materials may release asbestos fibers into the air and which is not related to its manufacture, the mining or excavation of asbestos-bearing ore or materials, or the installation or repair of automotive materials containing asbestos.

(w)((t)) ASSEMBLY BUILDING is a building or portion of a building used or intended to be used for the gathering together of 50 or more persons for such purposes as deliberation, education, instruction, worship, entertainment, amusement, drinking or dining or awaiting transportation.

Any building or structure or portion thereof used or intended to be used for the showing of motion pictures when an admission fee is charged and when such building or structure is open to the public and has a capacity of 10 or more persons.

(x) ((u)) ATRIUM is an opening through two or more floor levels other than enclosed stairways, elevators, hoistways, escalators, plumbing, electrical, air conditioning or other equipment, which is closed at the top and not defined as a mall. Floor levels, as used in this definition, do not include balconies within assembly occupancies nor mezzanines which comply with Section 1716.

(y) ((v)) ATTIC STORY is any story immediately below the roof and wholly or partly within the roof framing, designed, arranged or built for business or storage use.

(z) ((w)) AUTOMATIC, as applied to fire protection devices, is a device or system providing an emergency function without the necessity of human intervention and activated as a result of a predetermined temperature rise, rate of rise of temperature or increase in the level of combustion products such as is incorporated in an automatic sprinkler system, automatic fire door, etc.

Section 4. Conflict With Other Laws. By this ordinance the City and County intends that residential property owners provide warnings to tenants when the owners engage in asbestos-related work that may pose health hazards to the

tenants. The City and County freely contemplates that future federal and state law and regulations may encroach on the City and County of San Francisco's authority to regulate the subject matter of this ordinance. The City and County intends to regulate only where federal and state law allows and does not intend to authorize any activity that federal or state law or regulations prohibits, to prohibit any activity that federal or state law or regulation authorizes, or to duplicate any federal or state law or regulation except to the extent allowed by law.

Section 5. Severability. If any provision of this Article, or the application of any such provision to any person or circumstances, shall be held invalid, the remainder of this Article, to the extent it can be given effect, or the application of those provisions to persons or circumstances other than those to which it is held invalid, shall not be affected thereby, and to this end the provisions of this Article are severable.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By Elaine C. Warren
Deputy City Attorney

SUPERVISOR HSIEH

12/06/90
8666j

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 10, 1990	December 17, 1990
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Kennedy Maher Walker Ward	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Kennedy Maher Nelder Walker
Absent: Supervisors Nelder	Absent: Supervisors Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
264-88-1

DEC 20 1990
Date Approved

Mayor

AS AMENDED IN BOARD ON
DECEMBER 10, 1990

FILE NO. 118-90-5 ORDINANCE NO. 405-90

(Regulation of Video Display Terminals)

AMENDING PART II, CHAPTER 5 (HEALTH CODE) OF THE SAN FRANCISCO MUNICIPAL CODE BY ADDING ARTICLE 23 (INCLUDING SECTIONS 1301 TO 1315 THERETO) REQUIRING EMPLOYERS WHO EMPLOY VIDEO DISPLAY TERMINAL OPERATORS TO COMPLY WITH WORKER SAFETY REQUIREMENTS.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter 5 (Health Code) of the San Francisco Municipal Code is hereby amended by adding Article 23 thereto to read as follows:

NOTE: Additions are not underlined; all sections are new.

ARTICLE 23

VIDEO DISPLAY TERMINAL WORKER SAFETY ORDINANCE

SEC. 1301. FINDINGS. (a) The Board of Supervisors of the City and County of San Francisco finds and declares that it shall be the public policy of the City and County of San Francisco to provide public and private sector employees who operate video display terminals within the City and County of San Francisco with a safe and healthy work environment.

(b) Investigations conducted by the National Institute for Occupational Safety and Health of video display terminal (VDT) operators in response to complaints of headaches, general malaise, eyestrain and other visual and musculoskeletal problems resulted in recommendations for VDT workstation design, VDT work

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breaks and pre-placement and periodic visual testing to reduce musculoskeletal and vision complaints among VDT users.

(c) Various world-wide studies have demonstrated elevated musculoskeletal discomforts and disorders in VDT operators as compared with non-VDT workers. Statistics from these studies show a correlation between VDT use and shoulder-neck discomfort/pain, wrist tendonitis, and carpal tunnel syndrome. Statistics also show a higher number of vision complaints among VDT operators compared to other workers. Research has shown that inadequate workstation adjustment, lack of operator knowledge of adjustments, and long, uninterrupted use of VDTs are associated with musculoskeletal disorders and vision complaints. The consensus of the National Institute for Occupational Safety and Health, the World Health Organization and the American National Standards Institute is that adjustable VDT workstations in combination with training on proper adjustment of the work station and periodic breaks from VDT use during the work day substantially contribute to suitable working postures and reduce vision complaints, thereby providing a safer and healthier work environment for VDT operators.

(d) This Board of Supervisors further declares that, although some employers and manufacturers have recognized and implemented safeguards in equipment and workstation design and work routine in order to better protect the health and well-being of employees who operate VDTs on a regular basis, many VDT operators remain, as yet, unprotected. The Board of Supervisors finds that by providing for adjustable workstations and education and training covering workstation design and adjustment, work routine, and the causes of and treatments for health effects

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associated with VDT use, employers will furnish a safer and healthier work place for VDT operators.

SEC. 1302. DEFINITIONS. For purposes of this Article:

(a) "Department" means the Department of Public Health of the City and County of San Francisco.

(b) "Director" means the Director of the Department of Public Health of the City and County of San Francisco or his or her designee.

(c) "Employer" means any person, partnership, firm, association, or corporation and any agent of such business, located or doing business within the City and County of San Francisco, except state or federal government entities, but including the City and County of San Francisco, who has fifteen (15) or more employees for each working day in each of twenty (20) or more calendar weeks in the current or preceding calendar year. "Employee" as used in this Article means any individual who is required or directed by an employer to engage in any employment within the City and County of San Francisco.

(d) "Operator" means an employee who may be expected because of the employee's duties to use video display terminal equipment four (4) hours or more, inclusive of breaks, per shift.

(e) "Terminal" or "Video Display Terminal (VDT)" means any electronic video screen data presentation machine, commonly denominated as video display terminals (VDT) including but not limited to cathode-ray tubes (CRT). Nothing in this Article may be construed to apply to televisions, cash registers, memory typewriters, or oscilloscope screens.

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SEC. 1303. VIDEO DISPLAY TERMINAL ADVISORY COMMITTEE.

(a) There is hereby created an advisory committee to the Board of Supervisors to be known as the Video Display Terminal Advisory Committee (hereinafter referred to in this Article as "the Advisory Committee").

(b) The function and purpose of the Advisory Committee shall be to:

(1) Keep the Board apprised of updated video display terminal worker health and safety information including but not limited to (A) adverse pregnancy outcomes, (B) long-term vision impairment, (C) musculoskeletal strain, and (D) protective measures, including workstation design and education and training, to alleviate adverse health and safety effects;

(2) Review and make recommendations to the Health Commission on proposed rules and regulations developed by the Department in the implementation of this Article; and

(3) Recommend to the Board such amendments to this Article as the Advisory Committee deems appropriate.

(4) Review developments concerning VDT laws and regulations by the State of California and the Cal/OSHA and report to the Board on these developments.

(c) The Advisory Committee shall consist of seven (7) members appointed by the Board of Supervisors. The membership shall be composed of two (2) representatives from business, one (1) nominated by the San Francisco Chamber of Commerce and one (1) nominated by the Small Business Advisory Commission; two (2) representatives of labor, nominated by the San Francisco Central Labor Council; and three (3) representatives of the video display terminal scientific research fields, one (1) nominated by the San Francisco Chamber of Commerce, one (1) nominated by the

San Francisco Central Labor Council, and one (1) nominated by the Mayor. Of the members first appointed, two (2) will serve for a term of two (2) years, two (2) will serve for a term of three (3) years, and three (3) will serve for a term of four (4) years. The term of office of each member shall be determined by the drawing of lots at the first meeting of the Advisory Committee. Thereafter, members will be appointed for a term of office of four (4) years, except that all of the vacancies occurring during a term will be filled by an appointment for the unexpired term. The initial members of the Committee shall all be appointed by April 1, 1991.

2/10/90 ep

(d) The Director, who shall be Secretary of the Advisory Committee, shall be an ex-officio member, to serve without vote.

(e) At the initial meeting of the Advisory Committee, and yearly thereafter, the Advisory Committee members shall select a Chairperson and such other officers as deemed necessary by the Advisory Committee. The Advisory Committee shall establish rules and regulations for its own organization and procedure and shall meet when necessary as determined by the Advisory Committee provided, however, that the Advisory Committee will hold a regular meeting not less than quarterly each year at places, dates and times as prescribed by the Chairperson. All meetings shall be open to the public.

(f) The Advisory Committee shall submit an annual written report of its findings and recommendations to the Board of Supervisors and the Health Commission.

2/10/90 ep

SEC. 1304. WORKSTATION STANDARDS. (a) Within twenty-four (24) months of the effective date of this ordinance, every employer shall provide an operator who may be expected because of

the employee's duties to routinely perform repetitive keyboard motions four (4) hours or more, inclusive of breaks, per shift, with user-adjustable workstations and chairs that meet the following minimum standards:

(1) Seating for the workstation shall conform to the provisions of the American National Standard for Human Factors Engineering of Visual Display Terminal Workstations, ANSI/HFS Standard No. 100-1988, Section 8.7 "Seating," or meet the requirements of subsections (a)(1)(A) through (a)(1)(D) as follows:

(A) Seat pans and backrests of chairs shall be upholstered with moisture absorbing material. The upholstery shall be compressible at a minimum in the range of approximately one-half to one inch.

(B) Seat pans shall be adjustable for height and angle.

(C) Backrests shall be adjustable for height and to a position behind and forward of the vertical position.

(D) Chairs shall be capable of being swivelled by the user.

(2) Arm rests, wrist rests and foot rests shall be provided upon the request of the operator. Wrist rests shall enable the operator to maintain a neutral position of the wrist while at the keyboard, and shall be padded and without sharp edges.

(3) The adjustment mechanism for adjustable chair seat pans shall be operable by the user from a seated position. The adjustment mechanism for adjustable chair backrests shall be easily operable by the user.

(4) The keyboard shall be detachable from the terminal.

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(5) The terminal display support shall be adjustable so that the entire primary viewing area of the terminal is between zero and sixty degrees below the horizontal plane passing through the eyes of the operator. The terminal keyboard, in combination with the seating and the worksurface, shall be adjustable so that the operator, while seated in a normal upright position, is able to operate the keyboard with his or her forearms, wrists and hands in a position approximately parallel to the floor. The height of the worksurface shall be such as to provide adequate clearance under the worksurface to accommodate the operator's legs in a normal upright seated position.

(b) Within twenty-four (24) months of the effective date of this ordinance, every employer shall provide an operator who may be expected because of the employee's duties to use video display terminal equipment four (4) hours or more, inclusive of breaks, per shift, with a workstation that meets the following minimum standards:

(1) Workstations shall be illuminated with lights arranged to avoid visual glare and discomfort. The illumination level shall be within 200-500 lux. Task lighting shall be made available upon the request of the operator.

(2) Glare shall be eliminated through methods that include but are not limited to shielding windows with shades, curtains or blinds, positioning the terminal so that the terminal screen is at a right angle to the window producing the glare, fitting video display screens with anti-glare screens and providing keyboards with tops finished in a manner so as to minimize reflection.

(3) A document holder adjustable for placement angle and height shall be provided upon the request of the operator when a

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document holder is appropriate for the performance of the operator's duties.

(4) Video display screens shall be clean, clear, and free of perceptible flicker to the operator.

(5) Direct noise from impact printers shall be reduced to improve ease of communication by placing covers over the printers or by isolating the printers from the rest of the work environment.

(c) As used in this Article, "Routinely perform keyboard motions" shall not be interpreted to include only brief, intermittent keyboard motions that are ancillary to the employee's performance of other work tasks.

SEC. 1305. ALTERNATIVE WORK.

(a) Within twenty-four (24) months of the effective date of this ordinance, every employer shall provide an operator who may be expected because of the employee's duties to routinely perform repetitive keyboard motions four (4) hours or more, inclusive of breaks, per shift, with a minimum of a fifteen (15) minute, aggregate alternative work break during or immediately after every two hours of routinely performing repetitive keyboard motions, except where reasonable alternative work cannot be practicably provided, in which case the employer shall provide a written explanation to each VDT operator of why no alternative work can be practicably provided.

(b) The term "alternative work break" as used in this section includes, but is not limited to, performance of work other than operation of a VDT, a rest break from work, a lunch break, or any combination of the above. However, nothing in this section shall be construed to in any way modify, increase or

decrease any requirement for rest breaks or lunch breaks from work provided for by any federal or state law or regulation, or to require alternative work breaks inconsistent with the terms of any pertinent collective bargaining agreements or other employment contracts, in effect.

SEC. 1306. AREAS FOR ADDITIONAL RESEARCH. (a) Protection from VDT Radiation Emissions. Within two years of the effective date of this ordinance, the Advisory Committee shall prepare a report to the Board of Supervisors that identifies and provides recommendations on methods for employers to use in protecting VDT operators and other employees from possible VDT radiation emissions. Methods that the Advisory Committee shall consider in its report to the Board of Supervisors include but are not limited to:

(1) Positioning an employee so that the work position of the employee is located at least one (1) meter from the side or rear of any terminal.

(2) Shielding radiation emissions to provide at least the same level of protection as would be provided by the method in subsection (a)(1) above.

(3) Using low radiation emitting terminals so as to provide at least the same level of protection as would be provided by the method in subsection (a)(1) above.

(b) Adverse Pregnancy Outcomes and Long-term Vision Impairment. The Board of Supervisors acknowledges that additional research is needed to determine the relationship between (1) VDT use and adverse pregnancy outcomes, and (2) VDT use and long-term vision impairment. Further study of these issues may reveal the need for regulatory solutions to protect

the eyes of VDT operators and to assure that the health of pregnant VDT operators and their fetuses and that of other VDT operators are adequately protected. Accordingly, within two years of the effective date of this ordinance, the Advisory Committee shall prepare a report to the Board which summarizes the published research conducted in these areas in the intervening two years and contains the Advisory Committee's recommendations for Board action. In the absence of a resolution of the relationship between VDT use and adverse pregnancy outcomes, at the date of passage of this ordinance, the Board of Supervisors encourages employers to provide pregnant VDT operators with a work transfer to non-VDT related work, upon request.

SEC. 1307. EMPLOYEE EDUCATION AND TRAINING.

The Director shall adopt regulations setting forth an employer's duties to furnish operators and their supervisors with information and training about health and safety concerns associated with the use of video display terminals. The regulations shall be consistent with the following guidelines.

(a) The information and training furnished to operators shall at a minimum include:

(1) Known and suspected health effects and symptoms or health concerns which published scientific research has found to be associated with VDT work, including musculoskeletal strain, cumulative trauma disorders such as carpal tunnel syndrome, vision effects, possible reproductive effects and psychological stress;

(2) Known and suspected causes of VDT-related health effects including poorly designed work stations, long periods of

physical immobility, poorly adjusted furniture, awkward postures, poor visual correction, inappropriate levels of lighting, excessive glare, and excessive or continuous keyboard activity;

(3) Protective measures which may be taken to reduce or alleviate health effects and symptoms including:

A. Ergonomic principles regarding appropriate positioning of furniture, accessories (such as foot rests, document holders and wrist rests) and displays and the importance of maximum flexibility in workstation design;

B. The importance of regular breaks from VDT work in alleviating musculoskeletal and visual strain;

C. Mechanisms for reducing glare and excessive levels of room illumination, including indirect or shielded overhead lighting, window shades or blinds, proper placement of terminals in relation to glare sources and glare screens;

D. Instruction in adjusting display for maximum contrast and resolution;

E. The role of vision examinations in identifying visual problems that may be exacerbated or precipitated by VDT use and determining the need for special visual correction for VDT work;

F. Hands-on instruction in making appropriate adjustments to table, chair, display and accessories;

G. Eye and body exercises helpful in alleviating musculoskeletal and visual strain.

(4) A review of the latest scientific research on radiation emissions associated with VDT use, including a summary of research and published standards for non-ionizing radiation emissions and remedies for reducing potential radiation exposure such as use of non-radiation producing display technology.

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(b) The information and training shall describe the contents of this ordinance and the employee's rights under it.

(c) Employers shall provide the information to current operators and supervisors within six (6) months of the effective date of the Director's regulations.

(d) Beginning six (6) months after the effective date of the Director's regulations, employers shall provide new operators with the information and training within the first thirty (30) days of employment.

(e) Employers shall provide the information to operators and supervisors on an annual basis.

(f) Employers shall maintain records identifying those operators provided with information and training under this ordinance.

SEC. 1308. EMPLOYEE RIGHTS. No employer shall discharge, threaten with discharge, demote, suspend, or alter an employee's pay, position, seniority or other benefits, or in any other manner discriminate against any employee because such employee has (1) filed any oral or written complaint with the Department, the employer, or the employee's representative concerning the employee's rights under this ordinance, (2) instituted or caused to be instituted any proceeding under or relating to the employee's rights under this ordinance or has testified or is about to testify in any such proceeding, or (3) exercised on behalf of the employee or others any rights afforded the employee under this ordinance.

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use of specialized VDT or workstation equipment which is not readily available in conformance with the standard, rule or regulation for which the exemption is sought, and the use of conforming equipment would adversely affect the task or work operations.

(f) Notice to Operators. Immediately upon receipt of the notice of hearing, the employer shall provide notice of the application and hearing to affected operators and file a proof of service of the notice with the Department.

(1) If affected operators are not represented by an authorized employee representative, the employer shall post a copy of the notice of the hearing and a statement specifying where a copy of the variance or exemption application may be examined, at the place or places where notices to employees are usually posted.

(2) If affected operators are represented by an authorized employee representative, the employer shall provide a copy of the notice of the hearing and a statement specifying where a copy of the application may be examined, to the employee representative by postage-prepaid first class mail or by personal delivery.

(3) Proof of service shall be accomplished by filing an affidavit or declaration under penalty of perjury with the Department, certifying to the time and manner in which the notice was given.

(g) Decision. Upon issuing the written decision either granting or denying the variance or exemption in whole or in part, the Bureau Director shall forthwith transmit a copy of the decision to the employer by certified mail at the address specified in the application. It shall be a condition of the order that the employer shall give notice of the decision to

affected operators by the same means used to inform them of the application and notice of hearing. The decision of the Bureau Director shall be final and shall become effective as stated therein, except upon the filing of a valid appeal to the Director of Public Health.

(h) Record. A record shall be kept of the pertinent information presented at the hearing on the variance or exemption and such record shall be maintained as part of the permanent public records of the Department of Public Health.

(i) Appeal. Within thirty (30) days from the date the variance or exemption decision is mailed to the employer, the employer, affected operators or authorized employee representatives of the affected operators may appeal the decision, in writing, to the Director, setting forth in detail the ground or grounds for the appeal. Before accepting any application for appeal, the Department shall charge and collect an application fee. [See Section 1310.]

(j) Hearing on Appeal. The Director shall set a time and place for the hearing on the appeal and cause a notice of the time and place of the hearing to be mailed to the applicant by certified mail at the address specified in the application not later than ten (10) working days from the date the appeal was received by the Director. The hearing shall be conducted within thirty (30) days from the date the appeal was received by the Director. The Director shall hear the applicant and other interested parties.

(k) Notice of Appeal to Operators, Employee Representatives, Employers. If the applicant on appeal is the employer, the applicant shall provide notice of the appeal application and hearing to affected operators as provided in

SEC. 1309. VARIANCE AND EXEMPTION PROCEDURES.

(a) Determination. The Director of the Bureau of Toxics, Health and Safety Services in the Department of Public Health shall have authority to approve:

(1) a variance from a specific workstation standard, or rule or regulation adopted by the Director pursuant to this Article, upon a showing by the employer that an alternative program, method, practice, means, device or process will provide equal or superior safety for operators; and

(2) an exemption from a specific workstation standard, or rule or regulation adopted by the Director pursuant to this Article, upon a showing by the employer that it is technologically infeasible to comply with the workstation standard or rule or regulation for which the exemption is sought because the nature of the employer's business necessitates the use of specialized VDT or workstation equipment which is not readily available in conformance with the standard, rule or regulation, and the use of conforming equipment would adversely affect the task or work operations. An exemption may be granted for a period of up to two (2) years.

(b) Application. The employer of the place of employment for which the variance or exemption is sought may initiate a variance or exemption action by filing an application with the Department. An employer may file a single application and pay a single application fee for all variances and exemptions that the employer may seek at any one time at any one place of employment. The application shall be made in writing upon forms prescribed by the Department and shall contain or be accompanied by all information required to assure the presentation of pertinent facts for proper consideration of the variance or

exemption. The filing of the application for a variance or exemption shall stay the applicability of the workstation standard, rule or regulation for which the variance or exemption is sought. Before accepting any application for filing, the Department shall charge and collect an application fee. [See Section 1310.]

(c) Hearing. The Director of the Bureau of Toxics, Health and and Safety Services (hereinafter referred to in this Article as "Bureau Director") shall hold a hearing on the application and shall hear the employer and other interested parties. The Bureau Director shall cause a notice of the time and place of the variance or exemption hearing to be mailed to the employer by certified mail at the address specified in the application at least ten (10) days prior to said hearing. The Bureau Director shall act upon each application within ninety (90) days of receipt by the Department of the completed application. This time limit may be extended by written agreement executed by the Bureau Director and the applicant.

(d) Variance Findings. No variance shall be granted unless the Bureau Director finds and specifies in a written decision that in granting the variance, an equivalent level of safety will be provided through use of an alternative program, method, practice, means, devise or process as is provided by the workstation standard or rule or regulation for which the variance is sought.

(e) Exemption Findings. No exemption shall be granted unless the Bureau Director finds and specifies in a written decision that it is technologically infeasible for the employer to comply with a workstation standard or a rule or regulation because the nature of the employer's business necessitates the

cause the correction of any such violation, and for assessment and recovery of a civil penalty for such violation.

(b) Any employer who violates this Article shall be liable for a civil penalty, not to exceed $500, which penalty shall be assessed and recovered in a civil action brought in the name of the People of the City and County of San Francisco in any court of competent jurisdiction. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such. Any penalty assessed and recovered in an action brought pursuant to this paragraph shall be paid to the Treasurer of the City and County of San Francisco.

(c) In undertaking the enforcement of this ordinance, the City and County of San Francisco is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

SEC. 1314. CONFLICT WITH OTHER LAWS. (a) By adopting this ordinance, the City and County of San Francisco does not intend to authorize any activity that federal or state law or regulation prohibits, to prohibit any activity that federal or state law or regulation authorizes, or to duplicate any federal or state law or regulation except to the extent allowed by law.

(b) This ordinance shall be void upon the enactment or adoption of any California or federal law having preemptive effect on the regulation of VDTs in the workplace.

SEC. 1315. SEVERABILITY. If any provision of this Article, or the application of any such provision to any person

or circumstances, shall be held invalid, the remainder of this Article, to the extent it can be given effect, or the applicaton of those provisions to persons or circumstances other than those to which it is held invalid, shall not be affected thereby, and to this end the provisions of this Article are severable.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Elaine C. Warren
Deputy City Attorney

subsection (f), above. If the applicant is an affected operator or authorized employee representative, the applicant shall provide notice of the appeal and hearing to the employer by postage-prepaid first class mail or by personal delivery. Proof of service shall be accomplished by filing an affidavit or declaration under penalty of perjury with the Department, certifying to the time and manner in which the notice was given.

(l) Disposition of Appeal. After the hearing on the appeal, the Director may affirm the original decision, may reverse the original decision or may modify the original decision. The Director shall forthwith transmit a copy of the decision to the applicant on appeal by certified mail at the address specified in the application. It shall be a condition of the order that the applicant shall give notice of the decision to affected operators, authorized employee representatives or the employer, as applicable, by the same means used to inform them of the appeal application and hearing.

(m) Record of Appeal. A record shall be kept of the pertinent information presented at the hearing on the appeal and such record shall be maintained as part of the permanent public records of the Department.

SEC. 1310. FEES.

RESERVED.

SEC. 1311. RIGHT TO ENTRY AND INSPECTION. In order to carry out the purposes and provisions of this Article, the Director shall have the right at any reasonable time, upon the presentation of proper credentials, to enter upon or into the premises of any employer, as defined in this Article, who employs

one (1) or more VDT operators to inspect said premises for compliance with this Article. If the owner or occupant of the premises denies entry, the Director shall obtain a proper inspection warrant or other remedy provided by law to secure entry.

SEC. 1312. AUTHORITY TO ADOPT RULES AND REGULATIONS.

(a) The Director may adopt and from time to time amend reasonable rules, regulations and guidelines consistent with and implementing the provisions and intent of this Article. Said rules and regulations shall be approved by the Health Commission at a public hearing. In addition to the notices required by law, before the Health Commission approves the issuance or amendment of any rule or regulation, the Director shall provide a thirty (30) day public comment period by providing published notice in an official newspaper of general circulation in the City and County of San Francisco of the intent to issue or amend the rule or regulation. The Secretary of the Health Commission shall send written notice, at least fifteen (15) days prior to the hearing, to any interested party who sends a written request to the Health Commission for notice of hearings on VDT rules or regulations.

SEC. 1313. ENFORCEMENT. (a) The Director may enforce the provisions of this Article against violations by either of the following actions:

(1) Serving notice requiring the correction of any violation of this Article.

(2) Calling upon the City Attorney to maintain an action for injunction to enforce the provisions of this Article, to

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 10, 1990	December 17, 1990
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Maher Nelder Walker Ward	Ayes: Supervisors Alioto Britt Ward Gonzalez Hallinan Nelder Walker
Noes: Supervisors Hsieh	Noes: Supervisors Hongisto Hsieh Kennedy Maher
Absent: Supervisors Hongisto Kennedy	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
118-90-5

DEC 27 1990
Date Approved

Mayor

9.60.99

~~Kenneth E. Dowlin~~
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